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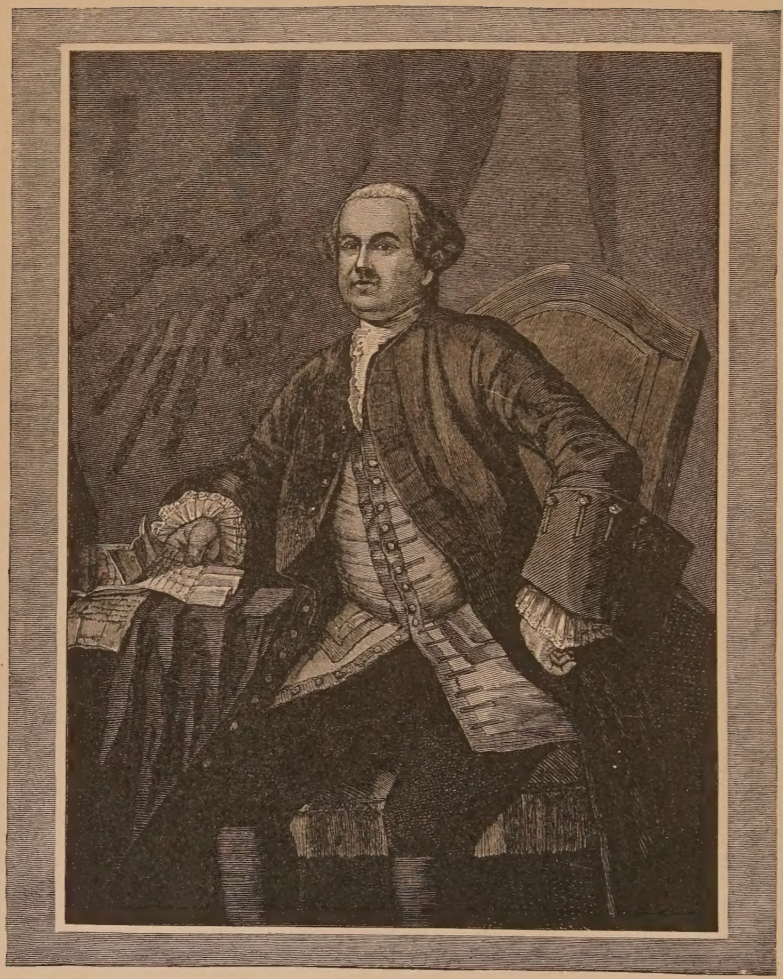

January 1783
William Phipps

COLLECTIONS

OF THE

MAINE HISTORICAL SOCIETY.

VOL. IX.

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The delay in the publication of this volume has been due to various causes, the chief of which was the lamented death of the Hon. Israel Washburn, Jr., Chairman of the Committee of Publication, and the issue, meantime, of the third volume of the Documentary series containing *the Trelawny Papers*.

On account of the large number of papers which had accumulated, the Committee have thought it inexpedient to begin with this volume the publication of the Proceedings of the Society, and they have therefore made it the ninth volume of the Collections instead of the first volume of a new series. It is, of course, to be understood that the writers of the papers are alone responsible for the views which they advance.

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ARTICLE I.

SIR WILLIAM PHIPS.

By WILLIAM GOOLD,

OF WINDHAM, MAINE.

Read before the Maine Historical Society, at Portland, May 15, 1879.

SIR WILLIAM PHIPS.

BY WILLIAM GOOLD.

[*Read at a Meeting of the Maine Historical Society at Portland, May* 15, 1879.]

For those to whom historical research is no task, being led to undertake it by natural inclination, it is a manifest duty to make an effort to reclaim the history of the men of their own colony, province, or state who were in their life conspicuous for their civil, military, or naval service, or were in any way benefactors of their race. Every generation that passes without this attempt leaves the trail more obscure.

Our Society, in the half century and more of its existence, has done much to retrieve the history of the territory now forming our State, and the people who first settled it, and yet there is much left for us to do. A large part of it was disputed territory, for the possession of which two powerful nations of different religions contended. It was impossible for the white inhabitants to enjoy long intervals of peace; they became soldiers and sailors in spite of themselves. At some seasons they were compelled, for safety, to eat, sleep, and worship

with their arms in their hands, or within reach in a moment. They could lead a scout, or build and sail a transport. If Canada or Acadia were to be invaded, or the French and Indians driven back, the home government looked to the Massachusetts province — of which Maine became a part, and an important one, as it was the frontier — to lead off with men and money and armed transports. Some of the men of Maine who served in these expeditions have had their lives written; but in historical investigations new facts are continually coming to light, which lead to new conclusions.

The subject of this biographical paper, Sir William Phips, had a friend and contemporary well qualified, and acknowledging it to be his duty to record his acts. Soon after the death of Governor Phips, in 1695, that accomplished scholar and voluminous writer, Rev. Cotton Mather, wrote his friend's life. It is a brief life for such a man; but it is the only good authority to consult for a knowledge of his parentage and early life. Some have said that it is highly colored. Professor Bowen, who wrote of Sir William in Sparks's "American Biography," speaks of the improbability of some of Cotton Mather's statements, I think without reason. Mather was colleague pastor with his father, Dr. Increase Mather, of the Old North Church, in Boston, to whose communion Governor Phips belonged. Drake, in his life of him, says, "Literature owes a vast deal to Cotton Mather, especially for his historical and biographical works.

Were these alone to be struck out of existence, it would make a void in these departments of literature, that would confound many who affect to look upon them with contempt." The "New England Weekly Journal," of the 19th of February, 1728, after announcing the death of Dr. Mather, says, "He was perhaps the principal ornament of this country, — the greatest scholar that ever was bred in it." It would seem that a life of Governor Phips, whose home was in the same city with that of his biographer, might be relied upon for prominent incidents of his career, even if the details are somewhat highly colored. His administration of the government of the province is impartially treated by Hutchinson in his history of Massachusetts.

Mather's "History of Sir William Phips" was first published in London in 1697, with a certificate which commences thus: "The author of the following narrative is a person of such well-known integrity, prudence, and veracity, that there is not any cause to question the truth of what he here relates." This is signed by three well-known English divines. First by Nathaniel Mather, uncle of the author, who probably superintended the publication. It is dedicated to the Earl of Bellomont, who succeeded Phips, as Governor of Massachusetts, after his death in 1695,—the Earl being then in England. The other signers of the certificate were John Howe and Matthew Mead, both London ministers of high standing. The author's name

nowhere appears, but the work was republished in Mather's "Magnalia" in 1702, the authorship being thus acknowledged. The work commences in a somewhat grandiloquent style: "The Life of His Excellency, Sir William Phips, Knight, Late Captain-General, and Governor-in-Chief of the Province of Massachusetts Bay. Containing the memorable changes undergone, and actions performed by him. Written by one intimately acquainted with him. 'From him learn virtue, and life's truest work.' 'Now as mortality has done its part on a considerable person, with whom I had the honor to be well acquainted, and a person as memorable for the wonderful changes which befell him, as imitable for his virtues and actions under these changes, I shall endeavor with the chymistry of an impartial historian to raise my friend so far out of his ashes, as to show him unto the world.'" This paragraph I take from the Introduction, which covers two pages of the "Magnalia." Dr. Mather's account of the birthplace and parentage of Governor Phips, if it is not laudatory of the place, is commendable for its brevity, and has been often quoted. It commences in these words: "This our Phips was born February 2, 1650, at a despicable plantation on the river Kennebeck, and almost the furthest village of the eastern settlement of New England. And the father of that man, who was as great a blessing as England had in the age, was a gunsmith. James Phips, once of Bristol, had the honor of being the father of him whom

we shall presently see made by the God of Heaven as great a blessing to New England as that country could have had if they themselves had pleased. His fruitful mother, yet living, had no less than twenty-six children, whereof twenty-one were sons, but equivalent to them all was William, one of the youngest, whom his father, dying, left young with his mother, and with her he lived, 'keeping sheep in the wilderness,' until he was eighteen years old."

Our associate, Mr. Sewall, who is the best authority for the topography and traditions of that region, gives this description of the birthplace of William Phips, in his "Ancient Dominions of Maine": "Not far from Wiscasset, on the lower margin of Monseag Bay, near the mouth of a rivulet of the same name, a peninsula of arable land strikes out from the southeast extreme of the purchase of Bateman and Brown into a body of water formed by the junction of the waters of the bay above, in their passage to the sea, with those flowing from Sheepscot Bay below, into the Kennebeck opposite Bath. . . . To this peninsula, as the precise locality of the birthplace of William Phips, tradition points the beholder, and calls it Phips's Point. Phips's shipyard was not far from his birthplace, and not at Sheepscot farms." The author above quoted says, "Phips's wealth procured him knighthood." In this he is mistaken. It was his energy, good judgment, and perseverance, shown in achieving wealth, and the exact

fulfilment of his promises to his partners and his crew, when he had obtained his wealth, that procured him, not only knighthood from his sovereign, but the esteem and admiration of the court and people of England, and the people of his native colony.

I shall again quote from Mather. He says of young Phips: —

"His friends earnestly solicited him to settle among them, in a plantation of the east, but he had an unaccountable impulse upon his mind, persuading him, as he would privately hint unto some of them, that he was born to great matters. To come at these great matters, his first contrivance was to bind himself an apprentice unto a ship carpenter for four years, in which time he became master of the trade." Our young shipwright was now twenty-two years old, when he went to Boston, where Dr. Mather says he first learned to read and write, and followed his trade there about a year; and by a laudable deportment, so recommended himself, that he married a young gentlewoman of good repute, who was the widow of Mr. John Hull, a well-bred merchant, and the daughter of one Captain Roger Spencer, a person of good fashion. Roger Spencer was of Saco. The first entry in the book of records of that ancient town, under the date September 6, 1653, is that a permit was granted to Roger Spencer, to set up a saw-mill within the township, provided "that he doth make her ready to do execution within one year."

Another daughter of Roger Spencer married Dr. David Bennett of Rowley, whose son, Spencer Bennett, became the adopted son of his childless aunt and her husband, William Phips, and assumed their name. Of him more will appear. We find that both Governor Phips and his wife were natives of Maine.

Mather continues: "Within a little after his marriage, Phips indented with several persons in Boston to build them a ship at Sheepscot, two or three leagues eastward of Kennebeck. He also provided a lading of lumber to bring with him, which would have been to the advantage of all concerned. But just as the ship was hardly finished, the barbarous Indians on the river broke forth into a cruel war upon the English; and the miserable people, surprised by so sudden a storm of blood, had no refuge from the infidels but the ship now finishing in the harbor. Whereupon he left his intended lading behind him, and instead thereof, carried with him his old neighbors and their families, free of charges, to Boston; so that the first action that he did after he was his own man was to save his father's house, with the rest of the neighborhood, from ruin; but the disappointment which befell him from the loss of his other lading plunged his affairs into greater embarrassments with such as had employed him."

In the fourth volume of the Maine Historical Society's Collections, Samuel Johnson wrote of this locality, to which the editor, Mr. Willis, added

notes of his own. One of which says that Captain Sylvanus Davis, who was a large land-holder in that region, and was councillor for Sagadahock under the charter of 1690, informed the government in 1701, "that in 1675 there were no less than 156 families settled at Sagadahock, of which fifty were at Sheepscot." These fifty families alone would, at the usual computation of five to a family, have made a company of 250 persons, who took refuge on board the ship. If all those families had been as numerous as the Phips family, some must have fallen a prey to the savages, as the company would have numbered 1,300. Could the cellars which were uncovered at Sheepscot Farms in the summer of 1877, on the occasion of the Society's visit there, have belonged to those people whom Phips rescued in 1675 — about the time, probably, when Davis numbered them? If so, it was not the "despicable place" that Mather described it. He did not write until Governor Phips was dead, and probably he had no definite idea of that region, having never visited it.

As we are entirely dependent on Dr. Mather for our facts relating to Governor Phips's early life, I may as well use his own language, where it will best serve my purpose. He says of our subject:—

"He was hitherto no more than beginning to make scaffolds for further and higher actions. He would frequently tell the gentlewoman, his wife, that he should yet be captain of a king's ship; that he should come to have the command of

better men than he now accounted himself, and that he would be the owner of a fair brick house in the Green Lane of North Boston, and that it may be, this would not be all that the providence of God would bring him to. She entertained these passages with sufficient incredulity, but he had so serious and positive an expectation of them that it is not easy to say what was the original thereof.

"He was of an enterprising genius, and naturally disdained littleness. With little show of wit, there was much wisdom. His talent lay not in airs, that serve chiefly for the pleasant turns of conversation, but he might say as Themistocles, 'Though he could not play upon a fiddle, he knew how to make a little city become a great one.' He would prudently contrive a weighty undertaking, and then patiently pursue it to the end.

"Being thus of the true temper, he betakes himself to the sea, the right scene for such things; and upon the advice of a Spanish wreck about the Bahamas, he took a voyage thither, but with little more success than what just served him a little, to furnish him for a voyage to England, whither he went in a vessel not much unlike that which the Dutchmen stamped on their first coin, with these words about it, 'None can tell where fate will bear me.'"

It is more than probable that Phips owned this ancient looking vessel, being unable to pay for a better one. We may conclude from Dr. Mather's

language that he succeeded in finding this wreck about the Bahamas, from which he obtained something to assist in his longer voyage to England, and which he could show to the king and the commissioners of the navy, to induce them to give him the command of a ship in which to pursue his search for sunken treasure. It was an age of adventure. On the surrender of an enemy's city, plunder was the rule. The ocean was infested by pirates, and several well-known naval commanders sailed on lawful expeditions that ended in piracy. Captain Kidd gradually became a buccaneer.

It is probable that Captain Phips had some practical knowledge of sailing small vessels, while he lived on the Sheepscot waters. All young men like him, having sufficient energy, at some time in their early life made fishing trips to the Banks, or coasting voyages to Boston, and to the southern colonies. The common highways were the sea and rivers, so that all had some knowledge of water conveyance. Young Phips could not have had any scientific knowledge of navigation until years after he went to Boston, for Mather asserts that it was there that he first learned to read and write.

His biographer continues. "Having first informed himself that there was another Spanish wreck, wherein was lost a mighty treasure, hitherto undiscovered, he had a strong impression on his mind that he should be the discoverer, and he made such representations at White Hall, that by the year 1683 he became the 'captain of a king's

ship,' and arrived in New England commander of the Algier Rose, a frigate of eighteen guns, and ninety-five men." Charles II. was then the reigning monarch of England, and his brother, the Duke of York, and two years later King James II., was High Admiral, and at the head of the navy board. He had commanded the fleet in a successful engagement with the Dutch, and was a brave officer. Samuel Pepys was one of the commissioners of the navy under him. His Diary was first published a few years ago, which lets in much light on the public and private life of Charles II., and his brother, the Duke of York. It was undoubtedly the Duke who, becoming sufficiently interested in Captain Phips and his proposed adventure, induced the king to give him the command of a small frigate for his purpose.

Thus far we have been obliged to trust to one writer for the history of this remarkable man, Captain Phips. But now he has become a captain in the royal navy, his acts are a matter of record, both in England and in the archives of the Massachusetts Colony, by which we can verify some of the statements of his biographer. Of the next five years of the life of Captain Phips, Dr. Mather gives the most readily accessible account; it is no doubt authentic.

He says: "To relate all the dangers through which he passed, both by sea and land, and all the tiresome trials of his patience as well as his courage, while year after year the most vexing acci-

dents imaginable delayed the success of his design, would tire the patience of the reader, wherefore I shall supersede all journal of his voyages to and fro, with reciting one instance of his conduct that showed him to be a person of no mean capacity.

"While he was captain of the Algier Rose, his men, growing weary of their unsuccessful enterprise, made a mutiny, wherein they approached him on the quarter-deck with drawn swords in their hands, and required him to join with them in running away with the ship, to drive a trade of piracy on the South Seas. Captain Phips, though he had not so much of a weapon as an ox-goad, or a jawbone, in his hands, yet, like another Shamgar or Sampson, with most undaunted fortitude, rushed upon them, and with the blows of his bare hands felled them, and quelled all the rest."

Another and more extensive conspiracy was entered upon by the crew, while the ship was careening at a small uninhabited island. A bridge had been laid to the bold shore, to which the ship was moored, and all the crew but eight or ten of the best men, were on shore in the woods on leave. Some of the crew, no doubt, had been pirates before and wished to be again. The whole party conspired to seize the ship that evening, and after putting the captain and his friends on shore, to sail for the South Seas on a piratical expedition. They wanted the carpenter to join them, but he asked

time to decide, and found a way to inform Captain Phips of the plot.

With his few men the captain took up the bridge and loaded and trained his guns to bear upon the mutineers, on their return in the evening. On their approach the captain hailed them with orders to stand off, and said that he should leave them on the island to starve. This brought them to their knees to beg forgiveness, saying that they had no ill-will to the captain, but wanted the ship. He finally admitted them on board, but kept an eye on them until he arrived at Jamaica, where they were discharged.

With a few new men to take the place of the mutineers, Captain Phips sailed for the island of Hispaniola, or St. Domingo, where he fell in with an old Spaniard, who gave him some information of the wreck of a treasure-ship many years before, at the north of Port de la Plata on that island, so named from the landing of a boat with plate from the wreck. With renewed courage Captain Phips commenced the search for sunken treasure in this new place, without success. The Algier Rose had been in the West India waters for perhaps two years, and needed repairs, the completion of which at the island the mutiny had prevented. Besides, if his search should be successful, Captain Phips felt that he could not trust his present crew. With these discouragements he sailed for England, but with no abatement of confidence that he should yet find the wreck.

The Duke of York, who had been Admiral of England under his brother, Charles II., and who had the direction of naval affairs, had now come to be the reigning sovereign, as James II. The unpopularity of his measures caused loud complaint, and William, Prince of Orange, was solicited to come to England and claim the throne in the right of his wife, who was the eldest daughter of James.

To repel this threatened invasion, James needed all of his frigates, and however high Captain Phips might have stood in his estimation, he had no ship to spare for treasure hunting. Captain Phips was not to be thwarted in his designs on account of the strait in which the king was placed. He soon found powerful friends, probably with the assistance or introduction of the king. Captain Phips interested the Duke of Albemarle in his enterprise. He was a nobleman of great wealth, whose father, the celebrated General Monk, had espoused the cause of the Stuarts, and was the principal instrument in restoring Charles II. to his throne, for which he and his brother James never ceased to be grateful. Others besides the Duke became interested in Captain Phips's scheme. It is good evidence that Captain Phips retained the friendship and confidence of the king, that he granted a charter to the Duke of Albemarle and his associates, for ownership and possession of all the wrecks that might be discovered for a term of years.

A ship and a small vessel for a tender were obtained and fitted out. Mather says that Captain Phips "invented many of the instruments necessary to the prosecution of his intended fishery." I cannot improve Dr. Mather's account of the search for, and recovery of, the treasure; so I give it in his own language:

"Captain Phips, arriving with his ship and tender at Port de la Plata, made a stout canoe of a stately cotton-tree, so large as to carry eight or ten oars, for the making of which periaga (as they call it) he did, with the same industry that he did everything else, employ his own hands and adze, and endured no little hardship, lying abroad in the woods many nights together. This periaga, with the tender, being anchored at a place convenient, the boat kept busking to and again, but could only discover a reef of rising shoals, thereabout called "The Boilers," which, rising within two or three feet of the surface, were yet so steep that a ship striking on them would immediately sink. One of the men, looking over the side of the periaga into the calm water, spied a sea feather growing as he judged out of a rock, whereupon they had one of their Indians to dive down and fetch this feather. The diver, bringing up the feather, brought therewithal a surprising story; that he perceived a number of great guns where he had found the feather, which astonished the whole company.

"Upon further diving the Indian fetched up a

sow, as they called it, or a lump of silver, worth perhaps two or three hundred pounds. Upon this they prudently buoyed the place, that they might readily find it again, and they went back unto their captain, whom for some while they distressed with bad news as formerly. Nevertheless, they so slipped the sow of silver under the table where they were now sitting with the captain, and hearing him express his resolution to wait still patiently the providence of God. At last he saw the silver, then said he, 'Thanks be to God, we are made.'

"Most happily, they first fell upon the room in the wreck where the bullion had been stored up. They so prospered in this new fishery that in a little while they brought up thirty-two tons of silver. One Adderly of Providence (one of the Bahamas), who had formerly been very helpful to Captain Phips in his search for this wreck, did upon former agreement meet him now with a little vessel here, and he with his few hands took up about six tons of silver, whereof he made little use, as in a year or two he died distracted at Bermudas. Thus did once again come into the light of the sun a treasure which had been half a hundred years groaning under the waters. In this time there was grown upon the plate a crust, like limestone, to the thickness of several inches, which being broken open by iron, they knocked out whole bushels of rusty pieces of eight (Spanish dollars), which had grown thereinto. Besides that

incredible treasure of plate in various forms, thus fetched from seven or eight fathoms under water, there were vast riches of gold and pearls and jewels which they also lit upon.

"Thus did they continue fishing until their provisions failing them 't was time to be gone. But before they went Captain Phips caused Adderly and his folk to swear that none of them would discover the place of the wreck, or come any more until the next year, when he expected to be there himself. It was remarkable that though the sows still came so fast that on the very last day of their being there they took up twenty, yet it was afterward found that they had in a manner cleared the room where these things were stowed."

Dr. Mather continues: "But there was one extraordinary distress which Captain Phips found himself plunged into. His men had come out on seamen's wages, at so much per month; and when they saw such vast litters of silver sows and pigs, as they called them, come on board them at the captain's call, they knew not how to bear it that they should not all share all among themselves, and be gone to lead a short life and a merry one, where those that had hired them should not reach them. In this terrible distress Captain Phips made his vows unto Almighty God, that if the Lord would carry him safe home to England with what He had now given him, he would forever devote himself unto the interest of the Lord Jesus Christ and his people, especially in the country which he did

himself originally belong unto." We find that the humble shipwright of Sagadahock did not, in his prosperity nor in his distress, forget that "despicable place," as Dr. Mather called it, "the hole of the pit from which he was digged."

Captain Phips assured his men that besides their wages they should have extra pay, if he was obliged to take it from his own share, with which promise they were satisfied, and he sailed for England direct; but soon after some Bermudans took Adderly's boy for a pilot and sailed for the place of the wreck, and gleaned the remains of the treasure.

Captain Phips arrived safely in London in 1687, with his cargo of silver, gold, and jewels, to the value of 300,000 pounds sterling. After satisfying his crew according to promise, he had left to himself less than 16,000 pounds. The Duke of Albemarle was so well satisfied with Captain Phips's honesty that he made his wife, whom he had never seen, a present of a golden cup of the value of nearly one thousand pounds sterling. Some officious people urged the king, who was entitled to one tenth of the treasure, to seize the whole, on the ground of deception; but he replied that he had been rightly informed by the captain of the whole matter.

In consideration of his success and honesty in bringing into the kingdom so large a treasure, the king conferred upon Captain Phips the honor of knighthood, with a gold medal. Le Neve's Cata-

logue of Knights says that William Phips was knighted at Windsor Castle, June 28, 1687.

At this time James II. needed just such men as Sir William in his navy, the king's favorite arm of defence, to repel the threatened Dutch invasion, and prevent the landing of William, Prince of Orange, which took place the next year. Our "Knight of the Golden Fleece" was urged to remain in England and accept a command, but he had won distinction and wealth at the wreck, and there was more there when he left, and he refused a command offered by the commissioners of the navy.

An English nobleman, Sir John Narsborough, had made voyages of discovery to the South Sea with success, an account of which had attracted much attention. He was a man after Sir William's own heart, and he took him with him on his next voyage to the wreck; but the Bermudans, with Adderly's boy for a pilot, had nearly cleared the wreck of everything of value. To Sir John Narsborough, and this last voyage to the wreck, Dr. Mather devotes less than two lines, probably because it was a failure, not mentioning the date of it.

Within a year the Massachusetts Historical Society has published the first volume of the "Sewall Papers," including the Diary of Judge Samuel Sewall, kept in Boston, except when absent a few months in England, whither he went in November, 1688. This Diary covers the years from 1674 to

1700, and is of much value in tracing the acts of Sir William Phips and his contemporaries during those years which include the administration of Sir William as Governor of the Massachusetts province, under the new charter. It is this journal kept by a Councillor of the province that induces me to retrace the life of Governor Phips, and perhaps explain some matters which in later years have been injuriously commented upon. Dr. Cotton Mather has been accused of favoring Sir William Phips and excusing his faults. Drake, in his memoir, says, "Dr. Douglass seems to have been the author of the fashion, or practice, so much in vogue of late years, of reviling Cotton Mather. It has been carried to such an extreme in some quarters, that whoever presumes to mention his name does it at the peril of coming in for a share of the obloquy and abuse himself." Dr. Mather said, when writing the "Magnalia," that "he had no question but there would be some with hearts full of serpent venom," who would "scourge him with scorpions for the pains he had taken." I have said that Professor Bowen wrote the life of Sir William Phips which is contained in Sparks's "American Biography." He speaks doubtingly of some of Mather's statements. He says of Dr. Mather, "He was intimately acquainted with the subject of his memoir, and the account would be entitled to full credit, did not his own credulity, and the partiality which he everywhere shows, throw some doubts on the more remarkable state-

ments." Yet Mr. Bowen has been unable to discredit them. Because he thinks Mather has been partial, he seems to consider it his duty to doubt his veracity, and in his own memoir to lean to the opposite extreme. We have now arrived at a period in the life of Sir William Phips when we can verify Mather's statements by collateral authority.

We will resume the thread of our narrative. By the Diary of Judge Sewall we are enabled to fix the date of Sir William's visit to the wreck in company with Sir John Narsborough. Under date February 11, 1687, Sewall says: "Cary arrives from Jamaica, five weeks' passage, brings word that the Duke of Albemarle was there and Sir William on the wreck." This would make it the last of December, — five months after the date of his knighthood. It must be recollected that then February was the last full month in the year.

Mather says: "Nothing would content Sir William but a return to New England. And, whereas the charters of New England had been taken away, there was a governor imposed upon the territories with as arbitrary and as treasonable a commission perhaps as was ever heard of, — a commission by which the governor, with three or four more, none of whom were chosen by the people, had power to make what laws they would, and levy taxes according to their own humors upon the people." This Governor was, as all know, Sir Edmund Andros, and the lost charter was that brought out by

Governor Winthrop in 1630, which Charles II. succeeded in causing to be abrogated in 1684.

The old charter provided for the election of the governor by the people, which was very distasteful to the king, and to a large party in the colonies, who coveted that office or some preferment under it, which, belonging to the royal party, they could not obtain. Sir William's sympathies were with the Puritans, at the head of whom was Dr. Increase Mather, who held at the same time the office of President of Harvard College and pastor of the North Church of Boston. His son, Cotton Mather, was his assistant.

In his memoir, Cotton Mather continues: "Indeed, when King James offered, as he did, unto Sir William Phips an opportunity to ask what he pleased of him, Sir William generously replied that he prayed for nothing but this, 'that New England might have its lost privileges restored.' The king then replied: 'Anything but that.' He next petitioned the king to be appointed high sheriff of that country, hoping by his deputies in that office to supply the country with conscientious juries. This office he obtained, and with his commission he returned to Boston, in the summer of 1688, after an absence of five years."

Sir William's arrival is thus noticed by Sewall. "Friday, June 1, 1688. Went to Watertown lecture. Mr. Russel Graves and many more were there, Lady Phips for one, who was ready to faint as word was brought in by the coachman of Sir

William's being spoken at sea. By that time we got home, we heard that Sir William came in his pinnace from Portsmouth this day. Many of the town gone to compliment him." The next Friday Sewall mentions the presence of Sir William at the Charlestown lecture, and on Tuesday following Judge Sewall waited on him at his residence.[1]

From the Sewall Diary we learn that Sir William had a frigate to visit his home, and first arrived at Portsmouth, N. H., probably on account of the weather. He had been appointed high sheriff of New England, which accounts for the frigate. June 22d, Sewall says: "Went to bid Sir William welcome to town, who landed an hour or so before, being come with his frigate from Ports-

[1] From an entry in the journal, I conclude that there was a fear that, after so much time spent in England with Church people, Sir William had become attached to the Church of England. The next Sunday after his arrival was Whitsunday. Sewall thus records his whereabouts: "Sir William not abroad in the forenoon, in the afternoon he hears Mr. Mather; so the Whitsuntiders have not his company." These Whitsuntiders were Governor Andros and his officials, with the other Episcopalians of the town, who were holding services in the South Church after the morning meeting of that society was dismissed. The governor's chaplain, Rev. Mr. Ratcliff, officiated. There was then no English Church in Boston. Sewall gives a long account of the controversy through which the use of the South Meeting-house was obtained. He was one of the proprietors. On March 28th previous, Sewall has this entry: "Captain Davis spoke to me for land to set a church on. I told him I could not, would not put Mr. Cotton's land to such a purpose." In reply to an application from the minister, Ratcliff, for land for the same purpose, Sewall said, according to his own account: "I told him I could not, first because I would not set up that which the people of New England came over to avoid."

mouth." If he had been simply a passenger, he would not have returned to Portsmouth to bring up his ship. He was the commander. Sir William could not have been very bigoted in his religion, as Sewall says his chaplain preached to the Governor on Sunday, July 1st, which he could have prevented, and of course the chaplain of the ship was an Episcopalian. Sir William was sworn as high sheriff on July 6th, but Mather says: "The infamous government, then rampant, found a way wholly to put by the execution of his patent. Yea, he was like to have had his person assassinated before his own door, which, with some further designs then in his mind, caused him within a few weeks to take another voyage into England." While Sir William was in Boston, Sewall often recorded his whereabouts. "July 4th, Commencement, Mr. Hubbard compared Sir William in his oration to Jason fetching the golden fleece." "Monday, July 16, 1688, Sir William's frigate and the Swan set sail." He had remained at home only six weeks. During this time he commenced the "fair brick house in Green Lane," now Salem Street, on a lot which had been purchased by his lady in October, 1687. On the 21st, Sewall says: "I went to offer my Lady Phips my house by Moody's, and to congratulate her preferment. As to the former, she had bought Sam. Wakefield's house and ground last night, for £350. I gave her a Gazette that related her husband's knighthood, which she had not seen before, and wished

this success might not hinder her passage to greater estate. Gave me a cup of good beer, and thanked me for my visit." August 3d, Sewall says, "Placed a stone in the column of Sir William's house next to Mr. Nowell's."[1]

This stone was probably the base or capital of an architrave projecting from the brick wall, not properly a column; or it may have been the same part of a column of the portico, as some persons, yet living, who recollect the house, say that its front had such an ornament. Whatever stone it was, it probably was cut in England, as nearly all monumental and ornamental stone-work was at that time. There would hardly have been time to have had it prepared in the Province with its limited facilities. It was no uncommon thing for vessels coming from England to bring a part of their lading of bricks. This stone was put into the column only two months after Sir William's arrival from London, and it is probable that he brought much of the ornamental material for his house in the frigate.

After the abrogation of the charter in 1684, there was continual dissatisfaction with the administration of public affairs. After Governor Andros's arrival in 1686, many landed proprietors

[1] The custom of requesting a magistrate to assist with his own hands in building a house or a ship was very common then. Repeated instances of it are mentioned in Judge Sewall's Diary. In 1692 he says, "I drove a trenail in the governor's brigantine;" and at another time he mentions the driving of a nail in Somerby's house at Newbury.

were compelled to take new titles, for which they were severely taxed for fees. This with other abuses created a renewed desire in the colony to have their charter restored, and increased the dissatisfaction, until on the 4th of April news of the landing of the Prince of Orange in England was received in Boston. On this encouragement, the inhabitants of that vicinity seized the Governor and imprisoned him at the castle. After the overthrow of Andros, the General Court sent over two of its members, viz. Elisha Cook and Thomas Oaks, to act as agents of the colony, with Sir Henry Ashurst. Plymouth Colony sent at the same time as their agent, Rev. Ichabod Wiswall. In April, 1688, Dr. Increase Mather was also sent to assist the others in obtaining a charter. He sailed three months before Sir William. Cook, Oaks, and Wiswall were strenuous for the old charter, and acted together. Dr. Mather and Sir William Phips decided that it was impossible to obtain that, and in the spring of 1689, Sir William was dispatched to Boston, probably to obtain instructions from the Mather party. Before he left, King James, who had retired to France, offered him a commission as Governor of the Massachusetts Colony, which he would not accept without a charter. On his arrival at Boston, he found that, after a ten years' peace, an Indian war had broken out. Schenectady, N. Y., had been attacked, and the whole eastern frontier was threatened. Sir William forgot the charter, but he did not forget the people

of his native district, nor the vows he made to God on shipboard to serve and protect them, if he should be permitted to land his treasure. Salmon Falls and Wells had also been attacked, and Casco was threatened. Thirty canoes full of Indians had been seen to cross Casco Bay.

Previously to Sir William's offering his services to the Council to command an expedition to Nova Scotia, as narrated hereafter, he offered himself for admission to the communion of the North Church of Boston, of which the Mathers, father and son, were the pastors. He presented a well-written confession of faith, which Mather copies in full. It covers a page of the "Magnalia." It closes with these lines: "I have had great offers made me in England, but the churches of New England were those my heart was most set upon. I knew that if God had a people anywhere it was here, and I resolved to rise or fall with them. . . . My being born in a part of the country, where I had not in my infancy enjoyed the first sacrament of the New Testament, has been a great stumbling-block to me. But though I have had proffers of baptism elsewhere made to me, I resolved rather to defer it, until I could enjoy it in the communion of these churches." Accordingly, on the 23d of March, 1690, one month before he sailed on the Nova Scotia expedition, Sir William was baptized by Cotton Mather, and received into the fellowship of the North Church.

In commenting upon Sir William's lack of edu-

cation, Professor Bowen mentions this confession of faith, and says: "Some suspicion would rest upon the authenticity of this piece did not Cotton Mather declare that the original was in Sir William's own handwriting, and that he had not altered a word in copying it. It is the only authentic production of his own pen which I have been able to find." The Professor continues: "I find some documents of a later period bearing his signature, with the awkward strokes of a school-boy just learning to write."

If Professor Bowen could find no other production of Sir William's pen, why should he doubt the authenticity of this? Is it because the author of it had been educated ankle deep in chips, and had graduated from a ship-yard instead of a college? I had no difficulty in finding, in the archives of Massachusetts, well-written and well-composed productions of Sir William's pen, with his signature in a clear, open hand.

It had been decided to send a naval force along the eastern coast, which was infested by French privateers and piratical vessels. In the Massachusetts archives are the instructions given him by Governor Bradstreet, to cruise for an enemy's ship, the Sea-Rover, — a pirate which had seized several fishing vessels belonging to his majesty's subjects. Phips was then captain of the ship, Six Friends, of forty guns, "now equipped as a ship of war." This was afterwards his flag-ship in the Quebec expedition.

Sewall makes this entry in his journal, betraying haste and excitement. "Saturday, March 22, 1690. Sir William Phips offers himself to go in person. The Governor (Bradstreet) sends for me and tells me of it; I tell the Court; they send for Sir William, who accepts to go, and is appointed to command the forces. He had been sent for at first, but some feared he would not go; others thought his lady would not consent. Court makes Sir William free, and swears him Major General." The day before, the Court had appointed Sir William and six others with the Governor as a "board of war." This "Court" was the Board of Commissioners of the United Colonies: consisting of Thomas Danforth and Elisha Cook, from Massachusetts; Thomas Hinkley and John Walley, of Plymouth Colony; and Samuel Mason and William Pitkin, of Connecticut.

Sir William sailed April 28, 1690, with seven hundred men, in eight small vessels, for Port Royal, N. S., now Annapolis. Sewall records on the 22d of May: "We hear of the taking of Port Royal by Sir William Phips, which abates our sorrow for the loss of Casco, if the sad news prove true." Fort Loyal at Falmouth, Casco Bay, surrendered on the 20th, after being besieged four days by a force of four or five hundred French and Indians.

On the receipt in Boston of the news of the destruction of Falmouth, a vessel was dispatched to intercept Phips's fleet, with orders to go into Casco

Bay, and try to secure prisoners and fugitives; but the fleet arrived at Boston on the 30th of May, without seeing the dispatch vessel.[1] While Sir William was gone on the expedition, he was elected to the Council Board and took his seat on his return.

In his absence an expedition against Quebec had been decided upon by the Council of the United Colonies. A land force was to go by Albany and the lakes. There was not sufficient ammunition in the colonies for this expedition, and a vessel was sent to England to obtain a supply. Sir William Phips was unanimously chosen commander-in-chief of the forces. The ammunition vessel not arriving in time, it was decided to sail with what could be procured in the colonies. The preparations for sailing are mentioned by Sewall. He says, "August 8, 1690. Went to Nantasket to see the Lieutenant General muster his soldiers on George's Island." The Lieutenant General was John Walley of Barnstable, commander of the land forces. "August 9th. Go and dine at Hull, with Sir William Phips and his lady. About six, wind veered, and the fleet came to sail, four ships of war and twenty-eight others." This fleet carried two thousand men, and from adverse winds and other detentions was

[1] The Sewall journal mentions, June 16, "Notice is given by beat of drum, of the sale of the soldiers' part of plunder taken at Port Royal." The French Governor of Port Royal was brought to Boston, who complained to the Governor about Sir William, whom he said retained his private property, which he was ordered to restore. A writ was issued against him which the Council ordered to be null.

until October on the passage to Quebec. On the 6th of that month Count Frontenac, the Governor, was summoned to surrender the city. He made a brave reply, calling the Prince of Orange a usurper, and said that no other answer would be returned than that from the mouth of his cannon.

The land forces, which went by the way of Albany, and which were expected to have drawn off the governor's troops for the defence of Montreal, returned after reaching the lake, by reason of not finding boats to transport them across, as expected. If they had remained at the lake, the whole French force could not have been recalled for the defence of Quebec, as was done. It was admitted that had the fleet arrived a few days earlier at Quebec, the attack would have been successful. This was made on the 7th. So cold was it that ice formed in one night of sufficient thickness to bear a man. The small-pox broke out in the fleet, by which many were disabled. The land forces were compelled to disembark in ice and water knee deep. They fought well, but Walley proved an inefficient commander. A bark commanded by Captain Savage got aground within pistol shot of the shore, but Sir William went bravely to her assistance in his flag-ship, and succeeded in bringing her off, although his own ship was much damaged by the enemy's shot. Many of the soldiers had their hands and feet frozen while on shore.

A council of officers decided that another attack would not be prudent. An exchange of prisoners

was made, and besides his own men, Sir William recovered several of those taken at Falmouth on the surrender of Fort Loyal in May. Among these was Captain Sylvanus Davis, the commander of the fort. In his account of the siege of the fort and his captivity, he says he was well treated by the French. Sir William made haste to get out of the river, for fear of being caught in the ice. Storms separated the fleet; one vessel was wrecked on the Island of Anticosti, and many of her crew were drowned. Those that survived built huts on shore, where they nearly starved to death from their short allowance.[1]

Several of the party died of scurvy, and those remaining lengthened their long-boat, and in it five of the crew made the passage to Boston, sailing on the 25th of March, and arrived there on the 9th of May. A vessel was sent to Anticosti which brought away the survivors. Sewall says, "June 29, 1691. Yesterday Rainsford arrived with seventeen men that remained alive on Anticosti; four dead of small-pox since the long-boat's coming."

Sir William with most of his fleet arrived at

[1] Mather gives this amusing description of an occurrence at the camp on the island. "There was a wicked Irishman among them, who had such a voracious devil in him that after divers burglaries upon the store-house, committed by him, at last he stole and ate with such pamphagous fury as to cram himself with no less than eighteen biscuits at one stolen meal, and he was fain to have his belly stroked and bathed before the fire, lest he should otherwise have burst." The narrator strongly hints that this was made an excuse for shooting him, to have his body to prevent their starvation.

N° (919) 20s

THIS Indented Bill of Twenty Shillings due from the Massachusets Colony to the Possessor shall be in value equal to money & shall be accordingly accepted by the Treasurer and Receivers subordinate to him in all Publick paym.ts and for any Stock at any time in the Treasury. Boston in New-England February the third 1690 By Order of the General Court

Elisha Hutchinson
John Hull
Tim Thornton
} Comitee

Boston on the 19th of November. One, at least, of the transports was never heard from, and some were blown off and arrived at the West Indies. The loss of men in this expedition was about three hundred, mostly by sickness. Mather says that the expense of this expedition was about "forty thousand pounds, more or less, and not a penny in the treasury to pay it withal." A part of this sum was raised by tax levy, by the Assembly, and a committee was chosen to issue bills of credit from copper plates, as Mather says, "So flourished, indented, and contrived, as to make it impossible to counterfeit them." These bills were signed by three of the committee, and were for the sums of from two shillings to ten pounds, and certified that the Massachusetts Colony was indebted to the holder for the sum named in the note. This was the origin of continental money. These notes were made receivable for public dues at five per cent. more than the value expressed in them.

To establish the credit of these bills, Sir William Phips exchanged a large amount of gold and silver for them. But they soon depreciated to fourteen shillings in the pound. The accompanying cut, a fac-simile of these bills, is from Lossing's "Field Book of the Revolution," by purchased permission from the publishers.

Sir William remained but a few weeks at home, and then sailed for England in the depth of winter, in a small vessel bound to Bristol. He hurried to London, and tried to interest William and Mary,

who were now on the throne, in another effort for the reduction of Canada.[1]

During the summer of 1691 the Province agents, with the assistance of Sir William, were urging the king and council to restore the old charter without success, but the king finally concluded that under a new charter the agents might nominate the first governor. Cook, Oaks, and Wiswall were strenuous for the old charter, and Mather, Ashurst, and Phips thought the new one, with the provisions it contained, worth their acceptance. Sir William was nominated for governor by Sir Henry Ashurst and Dr. Mather. The new charter contained the names of the first council, three of whom were to be from Maine. These were Job Alcot, Samuel Heyman, and Samuel Donnell. And for Sagadahock, Sylvanus Davis, who then lived at Arrowsic. The charter is dated on the 7th of October, 1691,

[1] Another expedition against Quebec and Canada was organized in 1711. It sailed from Boston on the 30th of July. It consisted of a large number of naval ships from England, with transports taken into the service in New England. Including two New England regiments, the troops numbered seven thousand, under the command of Brigadier General John Hill, of the British army. The fleet was under the command of Admiral Walker, and arrived in the St. Lawrence with incompetent pilots. Several vessels, with eight hundred men, were lost in a storm. On the 16th of September a council of war was held, which decided to retreat. Soon after arriving at Portsmouth, England, the admiral's ship, the Edgar, was blown up; and although he was saved by being on shore, he lost, as he says, "his books, journals, and charts, and the original journal of *Sir Wm. Phips's Expedition*," which he had probably taken to aid him in passing up the St. Lawrence. For his failure the admiral was dropped from the navy-lists.

and went into operation on the 14th of May, 1692.

The new Governor (Phips) arrived with the charter May 14th, the same day that it became operative. It included Massachusetts and Plymouth Colonies, the Province of Maine, Acadia, and Nova Scotia. Sewall records the arrival of Governor Phips in these words: "Sir William arrives in the Nonesuch frigate. Candles were lighted before he gets into the town-house. Eight companies wait upon him to his house, and then upon Mr. Increase Mather to his. Made no volleys because it was Saturday night." "Monday, May 16th. Eight companies and two from Charlestown guard Sir William and his councillors to the town-house, where the commissions were read and oaths taken."

In his memoir, Cotton Mather says: "Sir William Phips, who might, in a calm of the commonwealth, have administered all things with as general acceptance as any who had gone before him, had the disadvantage of being set at the helm in a time as full of storm as ever that province had seen; the people having their spirits put into a tumult by the discomposing and distempering variety of disasters which had long been rendering the time calamitous, it was natural for them, as for all men, to be complaining. And you may be sure the rulers must in such cases be complained of, and the chief complaints must be heaped upon those who are commanders-in-chief."

The state of public affairs is also described by Hutchinson, in his "History of Massachusetts." He says: "The distress of the people at the time of the arrival of the charter is said to have been peculiarly great. The sea-coast was infested by privateers, so that few vessels could escape them. The interior frontiers, east and west, were continually harassed by French and Indian enemies. A late expedition against Canada had exposed the province to the resentment of France. The same expedition brought so heavy a debt upon the government, that it required all the skill of the administration to support the public credit, and to procure further supplies for carrying on the war. A strong party in the government had opposed every other means except the adhering to the old charter, and was now dissatisfied with the acceptance of the new. The greatest misfortune was an apprehension that the devil was let loose upon them."

This was the belief in witchcraft, and the arrest of many accused of dealing with Satan. At the time of the arrival of Governor Phips, the jails were full of the accused, and most of his friends, including Cotton Mather, were firm believers in the justice of their seizure. The public mind was greatly excited, and demanded severe measures. The foremost of the accusers sought to show the new Governor their zeal, and to pacify these the Governor and Council ordered the accused to be

all ironed, but secretly permitted the irons to be removed.[1]

There is no evidence that Governor Phips favored the prosecutions for witchcraft, but on the contrary he discouraged them. He consulted the leading ministers in the matter, — fearing perhaps to raise a storm about his ears by hasty action.

Mather says: "When Sir William Phips had canvassed a cause, which perhaps might have puzzled the wisest men on earth to have managed without an error, he thought if it be any error at all, it certainly would be safest for him to put a stop unto all future prosecutions, as far as it lay in him to do it." He did so, and had the printed acknowledgments of the New Englanders, who publicly thanked him. The Queen sent him an autograph letter, commending his course. A court of Oyer and Terminer had been selected from the Councillors to try the witches. Our journalist, Sewall, was a member. They had held two or three sessions before the arrival of the charter, and condemned many. The question coming up in the Council about its sitting again, Sewall represents Governor Phips as saying, "It must fall," and that was the last of it. Governor Phips finally pardoned all those in the prisons accused of witchcraft. Calef of Roxbury, a merchant, ridiculed

[1] In commenting on witchcraft, Cotton Mather says: "Hasty people may burlesque these things, but when hundreds of the most sober people in a country where they have as much mother-wit certainly as the rest of mankind know them to be true, nothing but the absurd and froward spirit of Sadducism can question them."

the whole proceedings against the witches. He had a long controversy with Cotton Mather on the subject. He published a book in reply to Mather's "Wonders of the Invisible World," which he called "More Wonders of the Invisible World." On the arrival of Calef's book from England, where it was published, a copy came into the hands of Dr. Increase Mather, who was president of the college, and he caused it to be publicly burned in the college yard. Calef intimates that Lady Phips was suspected of witchcraft. This may have arisen from her known aversion to the prosecutions. As she was a Maine woman, it gives one the more pleasure to know that, in her husband's absence, she signed a warrant for the release of a prisoner, which the jail-keeper obeyed, and lost his place therefor. Hutchinson, in his history, gives this as a fact well authenticated.

Judge Sewall felt condemned for his course as a member of the witch court, and on the day of the public fast on account of the witchcraft, he wrote a confession to be read publicly in the South Church of Boston, of which he was a member. He inserts a copy of this paper in his Diary. He heads it, "Copy of a bill I put up on the Fast day; giving it to Mr. Willard (the minister) as he passed by, and standing up at the reading of it, and bowing when finished."

This Fast day was on the 14th of January, 1697. The chief judge, Lieutenant Governor Stoughton, when informed what Sewall had done, said he had

no such confession to make, as he "had acted according to the best light which God had given him."

After the witchcraft mania had begun to subside, Governor Phips turned his attention to the next greatest trouble under which he found the people suffering. That was the French and Indian war. We must again consult his original biographer, Dr. Mather, who says: "Now he was come to the government, his mind was vehemently set upon recovering those parts from the miseries which a new and long war of the Indians had brought upon them. His birth and youth in the east had rendered him well known to the Indians there; he had hunted and fished many a weary day in his childhood with them; and when these rude salvages had got the story that he had found a ship full of money, and was now become all one a king, they were mightily astonished at it; but when they further understood that he was become the Governor of New England, it added a further degree of consternation to their astonishment. He was likewise better acquainted with the situation of these regions than most other men.

"Wherefore Governor Phips took the first opportunity to raise an army, and with which he travelled in person unto the east country to find and cut off the barbarous enemy, which had continued for four years together, making horrible havoc on the plantations that lay all along the northern frontiers of New England; and having followed

these Scythian wolves till they could be no longer followed, he did with very laudable skill and unusual speed erect a strong fort at Pemaquid."

It was at Pemaquid that Sir William's father first settled, in about 1638, and being near the harbor of Sheepscot, Governor Phips must have been well acquainted with its topography; and probably was a good pilot to the harbor of Pemaquid. Governor Phips was now fulfilling his vows which he made on shipboard when he feared a mutiny.

Mather says: "The same generosity also caused him to take many a tedious voyage, accompanied by his faithful adviser and very dear friend, kinsman, and neighbor, Col. John Phillips, between Boston and Pemaquid, and this in the bitter weeks which is almost a Russian winter."[1] The "strong fort," mentioned by Dr. Mather, was built in 1692.

[1] Judge Sewall has this entry in his Diary under date January 17, 1694: "The Governor and Major Phillips return, come to town by land from Salem, having been gone near a month." For these sea-voyages, Sir William kept his own yacht, a brigantine. Sewall mentions in November, 1692: "I drive a trenail in the governor's brigantine." Any act of this kind by a magistrate in the building of a vessel or a house was supposed to impart a peculiar charm. The same journalist, describing the sailing of Sir William for London in 1694, mentions his going "on board of his yacht," which was to take him to the frigate. The yacht must have been a craft of good size and appointments. The inventory of his personal estate mentions that she sold for eighteen hundred pounds sterling after his death; and that she was armed we know from the same Diary. In 1693 the Council went down to the castle to decide upon some repairs. Sewall says: "As came up, Captain Clark saluted us with three huzzas, and guns from his briganteen."

In compliance with instructions given him in England, Governor Phips raised a force of four hundred and fifty men, and in company with Major Benjamin Church, of the Plymouth Colony, sailed along the Eastern coast to succor those who were in need, and to keep the Indians in check. They called at Falmouth and buried the bones of the men slain at the siege and surrender of Fort Loyal two years before, and carried away the guns. On arrival at Pemaquid a site was selected, and a large gang was set at work in the construction of a fortress strong enough to withstand any force that the French and Indians could bring against it. While the fort was in process of construction, Major Church, with a sufficient force, was sent farther east, and on his return he ascended the Kennebec and destroyed an Indian village at Taconnet, now Waterville.

The fort at Pemaquid, which Governor Phips built by the direction of the home government, was a more formidable and imposing fortress than had then been erected in the New England Provinces. It was quadrangular in form, each side being of about two hundred feet in extent. It had round towers at the angles; and the barbacan, or great flanker, at the northwest angle was twenty-nine feet high, and inclosed a large rock, under the side of which was the principal magazine for ammunition, the remains of which are yet to be seen.

Fronting the inner harbor the wall was eighteen feet high, and eight feet thick at the bottom, and

six feet at the ports or embrasures. Eight feet below the surface of the ground, within the round towers, were bomb-proof vaults for magazines and for stores. There were eighteen embrasures supplied with cannon, six of which were eighteen pounders. The wall on the south, fronting the sea, was twenty-two feet in height. The entire work was built of stone laid in lime. It was named Fort William Henry, and had a garrison of ninety men.

This imposing castle overawed the Indians, and on the 11th day of August of the next year the Indian sagamores, from the Merrimack to the Penobscot, met Governor Phips and three of the Council at Fort William Henry, and entered into a solemn treaty, in which they swore allegiance to William and Mary, promised to deliver up all captives, and to abandon the French. Governor Phips knew the treachery of the Indians when they came under the influence of the French, and required them to leave three of their principal men as hostages that they would observe the treaty.[1]

Fort William Henry, and Sir William Phips as

[1] Sewall notices the departure of the Governor and Councillors for Pemaquid: "Friday, August 4, 1693. The governor sets sail for Pemaquid. Goes off at Scarlet's Wharf about eight o'clock in the evening, with Major General (Winthrop), Mr. Addington, Mr. Foster." Their return is also noticed in the same journal. "Saturday, August 19th. Governor returns from Pemaquid, and Councillors, all in good health. Concluded a peace with the Indians on Friday, August 11th. They were very desirous of a peace, and professed themselves ready to do what the Governor desired; have sent three hostages."

Governor of the Province, were effective barriers against French and Indian aggression. Frontenac, then in command at Quebec, and Saint Castin at Bagaduce, whose wife was the daughter of an Indian sagamore, were restive under these checks. When the death of Sir William was announced, the destruction of the fort and village at Pemaquid was determined upon. A French naval force, having two mortars, took shelter under cover of Beaver Island, from whence, at a range of half a mile, they were enabled to throw shells from the mortars into the fort, and were themselves protected by the island from its guns. At the same time Castin with six hundred Indians landed near the east side, and joined the French in the siege, which was pressed with vigor. The fort had a garrison of ninety-six men, but their captain, Chubb, of Andover, was timid, and surrendered the fort, which was demolished. Sewall records, "August 4, 1696. Pemaquid fort is summoned by the French, the two ships which took the Newport galley, and said galley, besides many hundred by land."

"August 5, summoned them again, and for fear of their guns, bombs, and numbers, Captain Chubb surrendered, and then they blew up the fort. This news came to town August 10th. Captain Paxton brought it." By the cowardice of one officer the eastern coast was deprived of its only defensive fortress.[1]

[1] A fort of timber was erected at Pemaquid in 1624, — destroyed

We must resume the thread of our history of the year 1693. There had been two parties in the colony previous to the time when Dr. Increase Mather went to England seeking charter rights. His name had been forged to a letter on which a suit was commenced for defamation, and an effort was made to arrest him, to prevent his taking passage for England; and while he was there the several agents of the colonies of Massachusetts and Plymouth, as has been noticed, differed as to the expediency of accepting any charter but the old one. These differences were continued with bitterness after the charter went into operation. A faction sought to embarrass the Governor. On assuming the government, Sir William voluntarily allowed the Council to appoint officers without the intervention of his nomination, a right given him by the charter. He seems to have discovered his mistake and assumed his prerogative.

Some historians have called Sir William Phips a weak governor, but I think an impartial review of the history of his administration during the year 1693 will not bear them out in this assertion. Judge Sewall's Diary, so often quoted, gives the following note dated November 21st: —

"Governor bids the Deputies go choose a new

in "Philip's war," 1676; another built in 1677, and destroyed in 1689; rebuilt of stone by Governor Phips in 1692, and destroyed in 1696. Again erected in 1729 it was dismantled at the beginning of the Revolutionary War, lest it should be occupied by the English. The same great rock served to protect the magazine in the fort of 1729 that served Sir William Phips for that purpose in 1692.

Speaker, which they pray excuse for. Governor alleges as a reason, Speaker's adjourning their house from Friday to this day, without acquainting him, contrary to the charter. By mediation the matter is composed, and Wednesday morning the Governor sends to them by the Secretary, to desire them to go on with the business of the Court. Mr. Secretary is directed to enter their acknowledgment of their error and asking pardon, and that they would not practise in like manner for time to come."

Before this time it had been the custom for towns in all parts of the Province to choose leading men of Boston and the vicinity, who might perhaps have been land proprietors in those towns, to represent them in the House of Deputies, possibly to save the expense of sending one of their own citizens, for each town then paid their own members. There was this advantage about this method, that it gave the towns a larger number of able and experienced men from which to choose representatives. But under this arrangement corrupt partisans could retain their places in the House year after year, and the Governor found his measures for the good of the Province frustrated by his opposers in the House. He boldly, through his friends, offered a bill in the House, that all representatives should be freeholders, and reside in the towns for which they were chosen. This bill passed the House and went to the Council, of which our journalist, Sewall, was a member. With

it came a protest signed by twenty-one Deputies, among whom I perceive the names of those men who had before, and did subsequently, give the Governor much trouble. Judge Sewall says, November 28, 1693: "The clause and the dissent were read two or three times in the Council by the Secretary, and put to vote, the Governor not being there." It was passed by one majority. The names of the Councillors are given under the heads of "content" and "not content." Among the latter are the names Samuel Donnell and Charles Frost, councillors from Maine.

No weak or unpopular governor could have broken down this established prerogative of the wealthy and influential men of the large towns. This wholesome law stands to-day on the statute books of all the New England States. For its inception we are indebted to our own citizen, William Phips.

Among those protesters in the House of Deputies against the bill, which, if it became a law, would oust them from seats in that body, was Jahleel Brenton, son of William Brenton, who had been Governor of Rhode Island. He held a royal commission as collector of customs, which had become obsolete by the new charter which was granted a year after date of the commission. There never had been an act of Parliament establishing a custom-house in New England. Brenton was a member of the Tory party, and naturally opposed to Governor Phips and the Mathers. He had

been in England seeking employment, and only seven months after the Prince of Orange had been proclaimed king, Brenton arrived in Boston with his commission, — a year before the charter was granted, which was considered the commencement of a new régime. In the charter itself no change was made in the manner of the collection of the customs, which had always been made by a "naval officer."

Brenton's commission was probably given to get rid of him. There might have been an intention of establishing a custom-house in Boston, but with the civil war, which changed the sovereigns, and the long continued French war, the customs commissioners and the Parliament had more important matters claiming their attention. Judge Sewall records the arrival of Brenton in Boston in the same ship with Dudley, another of the Governor's enemies, of whom more hereafter. In the Sewall Diary is the following note under date January 26, 1690: "Mr. Brenton exhibits his commission under the broad seal for exercising the office of collector, surveyor, and searcher."

A few weeks before the passage of the bill disqualifying non-residents as representatives, Brenton, whose commission had laid dormant nearly three years from its issue, attempted to set up a custom-house in Boston, and to compel merchants or masters to enter and clear their vessels at his office. In writing of what transpired between Brenton and the Governor, Professor Bowen does

not seem to have taken these dates into consideration, but considers Brenton as an established collector of customs, and Hutchinson, who wrote long after the occurrences, overlooks the same palliating circumstances.

Brenton and Dudley were of that "little party" of men of whom Dr. Mather speaks, who "thought they could not sleep until they had caused the downfall of the Governor." These two were among those who complained of the cost of the Pemaquid fort and of many of the acts of the Governor.

The attempt to revive his commission as collector of customs, and the establishment of an office for the entry and clearance of vessels, was not probably a project of Brenton's alone, but a concerted scheme of that little party, by which they hoped to provoke Governor Phips, with his irascible temper, to commit some hasty act, which would give cause to complain of him to the home government. If this was the case, Brenton unquestionably used provoking language at the interview of which I am about to speak. I have been the more particular in describing the circumstances preceding this interview and collision, as it is referred to as the great indiscretion of Sir William's life, and was undoubtedly the cause of his being called to England, and the remote cause of his early death.

The Governor was legally the naval officer and acted by his deputy. He had appointed Benjamin Jackson as deputy, who was in charge of the of-

fice, where it had always been the custom to enter and clear vessels. Brenton's attempt to interfere with this custom, and demand increased fees, caused much ill feeling among the merchants. Colonel Foster, a Boston merchant, a member of the Council, and a fast friend to the Governor, complained that Brenton had seized a cargo of fustic and indigo from the island of Providence, on board the sloop Good Luck. A cargo of tobacco on board the brig Mary, from Jamaica, was also seized, and a part of the cargo, to the value of one thousand pounds, had been put into Brenton's store-house. The owners of the goods waited upon the Governor and asked his protection. He went to the wharf and forbade Brenton's interference, and of course warm words were exchanged. The Governor told the owners to take their goods. What afterwards transpired is told by Brenton in his petition to the Commissioners of the Customs, a copy of which is in the Massachusetts archives. He whiningly complains of the Governor's beating him with his fist, and says that he suffered the Governor to have the goods. Accompanying the petition is the report of the action of the Privy Council thereon in these words: —

"At the Court of White Hall, the 30th of November, 1693. Present the King's most Excellent Majesty in council. After the petition being read, it is this day ordered by his Majesty in council, that it be and is hereby referred to the Right Honorable, the Lords of the Committee of Trade and

Plantations, to examine and consider the matter, and to report to this board what their Lordships conceive fit for his Majesty to do therein."

Councillor Sewall's Diary shows that the Governor had not lost the respect of the principal officers of the province. The Diary has this entry: "November 15. Is a council at the Governor's house about taking Mr. Jackson's affidavits (he was the naval officer). Governor did not go to lecture. After lecture was much debate at the town-house, and at last Mr. Jackson's affidavits were all read over, and his oath given him by the Lieutenant Governor and Council." This oath was probably to qualify him to perform the duties of principal naval officer in the Governor's absence. Two days later is this note: "November 17, 1694. Just about sunset or a little after, the Governor goes from his house to the Salutation stairs, and there goes on board his yacht, Lieutenant Governor, many of the Council, Mr. Cotton Mather, captains of frigates, justices, and many other gentlemen accompanying him. 'T was six o'clock by that time I got home, and I only staid to see them come to sail. Guns at the castle were fired about seven. Governor had his flag at the maintop.[1] 'T was of a seventh day in the even, when the Governor came to town, and so 't is at his going off, both in darkness and uncomfortable because of the Sabbath." At that time the legal Sabbath began on Saturday at sunset.

[1] This flag at the maintop was one which Sir William was entitled to carry as a captain in the British navy.

Upon this order, Governor Phips was summoned to appear before the honorable body to whom the petition was referred by the king. Dr. Mather does not mention the difficulty with Brenton, but alludes to the Governor's summons to Whitehall in these words: "They so vigorously prosecuted certain articles before the council-board at Whitehall against him, that they imagined they had gained an order of his Majesty in council to suspend him immediately from his government, and appoint a committee of persons nominated by his enemies to hear all depositions against him, and so a report to be made unto the king and council. But his Majesty was too well informed of Sir William's integrity to permit such a sort of procedure, and therefore he signified unto his most honorable council that nothing should be done against Sir William until he had an opportunity to clear himself; and thereupon he sent his royal commands to him to come over.

"Wherefore in obedience unto the king's commands, he took his leave of Boston on the 17th of November, 1694, attended with all proper testimonies of respect and honor, and with addresses unto their majesties and the ministers of state from the General Assembly, humbly imploring that they might not be deprived of the pleasure of such a head.".

From this lately published Diary we learn that one or more frigates were sent for Sir William. The captains of these ships are mentioned as be-

ing of the party who accompanied him from his house at the embarkation. Judge Sewall says: "He came as governor and went in darkness." It was indeed a time of ill-omen. He never returned to his native province.

Sir William was no stranger at Whitehall. At that court he had been received twelve years before by King James II., and although he had no friend there, his intelligence, energy, and personal bearing obtained from that monarch, who had been an admiral himself, the command of a frigate of the royal navy. After years of persevering effort, he had entered the Thames with a shipload of gold and silver, one tenth of which belonged to the king. He pleaded the cause of his native colony for a renewal of its charter before two kings, and left England with a favorable charter which consolidated three colonies into one province, and with a royal commission as its first governor. One of these colonies he had, without assistance from England, wrested from a powerful enemy in time of war. Unaided at court, he had convinced King William of the necessity of sending another expedition for the reduction of Canada, and nothing but an epidemic in Sir Francis Wheeler's fleet prevented Sir William from annexing it to the kingdom fifty years earlier than it was accomplished.

An officer of the crown, with such a record, would hardly have his commission revoked for chastising an insolent inferior officer, even if that officer was in a legal act of duty.

Besides the difficulty with Brenton, Sir William had chastised Captain Short, of the Nonsuch frigate. Hutchinson, in his "History of Massachusetts," gives the circumstances. This was the frigate which brought the Governor from England with the charter. On the passage a prize was taken, and Captain Short complained that the Governor had deprived him of his full share of the prize-money, which caused ill feeling. The captains of men-of-war stationed in the colonies were required to follow the instructions of the Governor, and Governor Phips required Captain Short to order a part of his men upon some service out of the ship, which the captain refused to do. On meeting Short in the street, the Governor called him to account for his disobedience of orders. Warm words ensued, and the Governor struck the captain with his cane for insolent language, put him under arrest, and sent him to the castle, with the intention to send him home to be court-martialed, but he subsequently changed his mind and had him released. This occurrence was seized upon by the Governor's enemies, and exaggerated accounts were sent to England, but Captain Short was put in command of another ship, and entered no complaint against the Governor.

Brenton's chief adviser and Sir William's most bitter enemy was Joseph Dudley, who had been a Councillor of the colony and had held other offices. He coveted Governor Phips's place, and was the leader of the party mentioned by Dr. Mather who

sought his downfall, and had been long in England seeking to accomplish their purpose. Brenton had hurried away to assist his friend in England. Upon the arrival of Governor Phips in London, he was arrested upon suits commenced by Brenton and Dudley for damages in the sum of twenty thousand pounds. The writer caused an examination to be made of the court records in London, and find the Governor was charged with corruption in the collection of customs. These men undoubtedly supposed that Sir William would be unable to give bail in so large a sum, and would be compelled to go to prison. Sir Henry Ashurst, the resident agent for the province, who had been associated with Dr. Increase Mather and Sir William in obtaining the charter, readily signed the required bond, thus defeating Dudley's and Brenton's purpose.

Governor Hutchinson says: "Sir William urged in his defence against Brenton, that there was no custom-house established in the plantation by act of Parliament, and that Brenton had no authority to compel masters to enter and clear with him, — the naval officer then known and established by act of Parliament being the only proper officer for that purpose." "Sir William's friends in New England supposed his affairs in England would have been all accommodated, and that he would have returned to his government if death had not prevented." Of the result of the investigation and of the Governor's sickness, Dr. Cotton Mather thus

writes: "About the middle of February, 1694 (three months after leaving Boston), Sir William found himself indisposed with a cold which obliged him to keep his chamber, but under this indisposition he received a visit from a very eminent person at Whitehall, who, upon sufficient assurance, bade him 'get well as fast as he could, for in one month's time he should again be dispatched away to his government of New England.'"[1] To Sir William's last days of sickness, his death, and burial, his biographer devotes only five lines in these words: "His distemper proved a sort of malignant fever, whereof many about this time died in

[1] This assertion of Dr. Mather that Governor Phips was about to be returned to his government is ungenerously doubted by Professor Bowen. His words are: "Cotton Mather asserts that Sir William's answer to the charges brought against him was triumphant, and that he received assurance of being restored to his government, but this is hardly probable. Though no proceedings strictly illegal may have been proved against him, the king would hardly desire to restore to an important station a man who had so far forgotten the dignity of his office as to cane a commissioned officer." For the benefit of Professor Bowen I will cite a premeditated attack by a commissioned officer of the customs in Boston upon a prominent citizen, for which he was not called to account, although the parallel is not perfect. In 1761, John Robinson, a commissioner of the customs, enticed James Otis, the early apostle of freedom and a leading lawyer of Boston, into the British Coffee-House in that town, where other officers were gathered, and made an attack on him, leaving a deep cut on his head from which he never fully recovered, and it finally ended in insanity. Robinson never was recalled nor any notice taken of the outrage by the government at home, although a jury assessed the damage at two thousand pounds, which Otis generously relinquished upon proper acknowledgments from the offender. A positive assertion of such a man as Cotton Mather should not be doubted, at least when he had no personal interest in the matter. Governor Hutchinson confirms Dr. Mather's statement.

the city, and it suddenly put an end to his days and thoughts on the 18th of February, to the extreme surprise of his friends, who honorably buried him in the church of St. Mary's, Woolnoth, and with him how much of New England's happiness."

By the favor of Hon. Robert C. Winthrop I have a fac-simile of the printed invitations given out for the funeral, as it was then the custom. The original is now in his possession. Major General Fitz John Winthrop, of the distinguished New England family, was at the time in London; to him it is directed.[1]

Judge Sewall thus records the announcement of Sir William's death in Boston: —

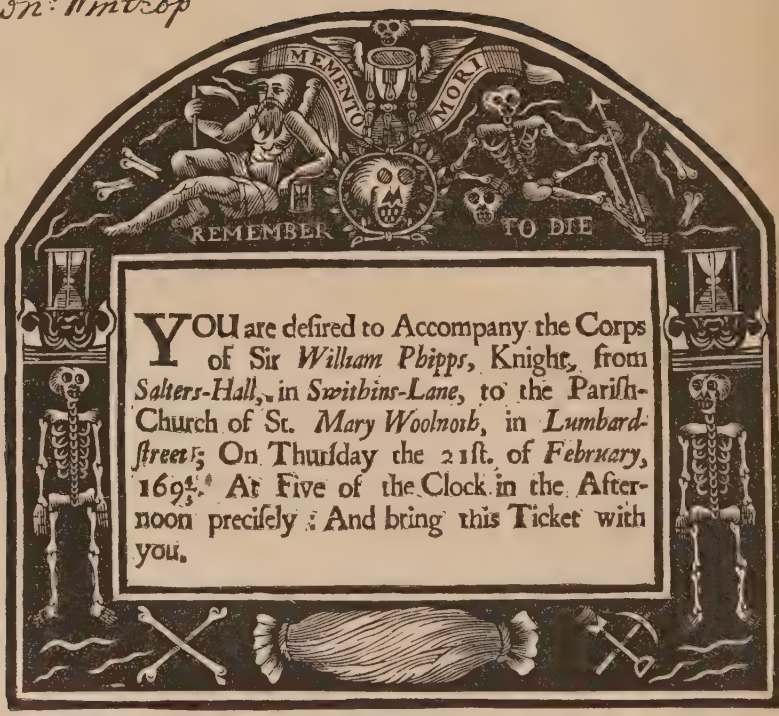
"May 5, 1695. About three hours, news comes to town of the death of Sir William Phips, February 18th, at which people are generally sad. Lay sick about a week of the new fever, as 't is called. The talk is that Mr. Dudley will be Governor. May 6th. The mourning guns are fired at the castle and town for the death of our Governor.

[1] The hour appointed for the funeral of Sir William seems odd to us; but it was the custom at that time to hold funeral service and inter the body by torch-light. In 1688 Lady Andros, wife of Sir Edmund Andros, Governor of Massachusetts, was buried from the South Meeting-House in Boston in the evening.

The Diary of Judge Sewall, so often quoted, has this entry: —

"Feb. 10, 1688. Between 4 and 5 I went to the funeral of Lady Andros. Between 7 and 8 (links illuminating the cloudy air) the corpse was carried into the hearse, drawn by six horses. The soldiers making a guard from the Governor's house to the South Meeting-House. There taken out and carried in and set before the pulpit, with six mourning women by it. House made light with torches and candles. . . . I went home, when about nine o'clock I heard the bells toll again for the funeral."

Major Gov: Winthrop



YOU are desired to Accompany the Corps of Sir *William Phipps*, Knight, from *Salters-Hall*, in *Swithins-Lane*, to the Parish-Church of St. *Mary Woolnoth*, in *Lumbard-street*; On Thursday the 21st. of *February*, 169$\frac{4}{5}$. At Five of the Clock in the Afternoon precisely: And bring this Ticket with you.

"May 8th. I visit my Lady (Phips), who takes on heavily for the death of Sir William. Thinks the lieutenant and the council were not so kind to him as they should have been. Was buried out of Salter's Hall." [1]

I was surprised to learn, as I did by a letter from the curate of the parish, that there is now no monument to Governor Phips in the church.

By investigation I ascertained that the edifice

[1] The *New View of London*, 1708, has the following, vol. iv. p. 290: "At the east end of the church of St. Mary's, Woolnoth, near the northeast angle, is a pretty white marble monument, adorned with an urn between two cupids, the figure of a ship, and also a boat at sea with persons in the water; these beheld by a winged eye, all done in basso relievo; also seven medals, as that of King William and Queen Mary; some with Spanish impressions, as the castle cross-potent etc., and likewise the figures of a sea-quadrant, cross-staff, etc., and this inscription: —

"'Near this place is interred the body of Sir William Phips, Knight, who, in the year 1687, by his great industry discovered among the rocks near the banks of Bahama, on the north side of Hispaniola, a Spanish plate-ship, which had been under water forty-four years, out of which he took in gold and silver to the value of £300,000 sterling; and with a fidelity equal to his conduct, brought it all to London, where it was divided between himself and the rest of the adventurers. For which great service he was knighted by his then majesty, King James the 2nd; and afterward by the command of his present majesty, and at the request of the principal inhabitants of New England, he accepted the government of the Massachusetts, in which he continued to the time of his death, and discharged his trust with that zeal for the interest of his country, and with so little regard to his own private advantage, that he gained the good esteem and affections of the greatest and best part of the inhabitants of the colony. He died on the 18th of February, 1694. And his lady, to perpetuate his memory, hath caused this monument to be erected.'

"His arms were, *sable*, a trefoil slipt, within an orle of eight Mullets, *argent*."

had been rebuilt during the three years including 1716 to 1719, when of course the monuments were removed. To replace them would involve expense which there was no one in London willing to pay. If any monument was left out, of course it would be a foreigner's. The "Pictorial Handbook of London," 1854, says: "St. Mary's, Woolnoth, Lombard Street, 1716, is the masterpiece of Hawkesmoor, the pupil of Wren, and by far the most original work erected since his time. It is a work of great merit externally and internally, and contains much handsome wood-carving. It was finished in 1719, and is built of stone." The curate of the parish sends me a copy from the parish register which reads as follows: "February, 1694. The 18th of this month, dyed Sir William Phips, and was intered in the vault under the organ gallery, the 21st of the same." Of course the vaults containing the dead were not disturbed by the rebuilding, and probably the coffin, which was at that time usually covered with lead, might yet be identified and reclaimed. I make these extracts from Cotton Mather's lengthy summary of Governor Phips's character and appearance: —

"Reader, 't is time for us to view a little more to the life the picture of the person, the actions of whose life we have hitherto been looking upon. Know then that for his exterior he was tall, beyond the common set of men, and thick as well as tall, and strong as well as thick. He was in all respects exceedingly robust, and able to conquer

such difficulties of diet and of travel as would have killed most men alive. Nor did the fat, whereinto he grew very much in his later years, take away the vigor of his motions. He was well set, and he was therewithal of a very comely though a very manly countenance, — a countenance where any true skill in physiognomy would have read the characters of a generous mind. Wherefore passing to his interior, the very first thing that there offered itself was a most incomparable generosity. There was one instance for which I must freely say I never saw three men that equaled him; that was his wonderfully forgiving spirit. I never did unto this hour hear that he did ever once deliberately revenge an injury.

"Upon certain affronts he has made sudden returns that have showed choler enough, and he has by blow as well as by word chastised incivilities. When base men surprising him at some disadvantages, he has, without the wicked madness of a formal duel, made them understand that he knew how to correct fools. Nevertheless, he ever declined a deliberate revenge of a wrong done unto him. Few men ever did him a mischief but those men afterwards had occasion for him to do them a kindness, and he did the kindness with as forgetful a bravery as if the mischief had never been done at all.

"While the generosity of Sir William caused him to desire a liberty of conscience, his piety would not allow a liberty of profaneness, either to him-

self or others. He did not affect any mighty show of devotion, yet he conscientiously attended upon the exercises of devotion in the seasons thereof, as well on lectures as on Lord's days, and in the daily morning and evening service in his own family, yea, and at the private meetings of the devout people in the neighborhood. When Sir William was asked by some who observed his valiant contempt of death, what it was that made him so little afraid of dying, his answer was: 'I do humbly believe that the Lord Jesus Christ shed his precious blood for me, by his death procuring my peace with God, and what should I be afraid of dying for?' This leads me to mention the humble and modest carriage in him towards other men, which accompanied this piety. There were certain pomps belonging to the several places of honor through which he passed, — pomps that are very taking to men of little souls; but although he rose from so little, yet he discovered a marvellous contempt of these airy things.

"After his return to his country, in his greatness, he made a splendid feast for the ship carpenters of Boston, among whom he was willing, at his own table, to commemorate the mercy of God unto him who had once been a ship carpenter himself. Upon frequent occasions of uneasiness in his government, he would thus express himself: 'Gentlemen, were it not that I am to do service for the public, I should be much easier in returning to my broad-axe again.' He would, particularly when

sailing in sight of Kennebec with armies under his command, call the young soldiers and sailors upon deck and speak to them after this fashion: 'Young gentlemen, it was upon that hill that I kept sheep a few years ago, and since, you see that Almighty God has brought me to something; do you learn to fear God, and be honest, and mind your business, and follow no bad courses, and you don't know what you may come to.'"

I will close these extracts from Cotton Mather with his assertion: "I do most solemnly profess that I have most conscientiously endeavored the utmost sincerity and veracity of a Christian, as well as a historian, in the history I have now given of Sir William Phips."

The Reverend Doctor Increase Mather, the president of Harvard College, was selected to deliver a sermon on Governor Phips, which he did from the 57th chapter of Isaiah, first verse: "Merciful men are taken away, none considering that the righteous are taken away from the evil to come." He had been long in England with Sir William endeavoring to procure a charter. From this sermon I have copied a paragraph of his testimony of the Governor's character: —

"This province is beheaded, and lies bleeding. A governor is taken away who was a merciful man; some think too merciful, and if so, 't is best erring on that hand. . . . He was a zealous lover of his country, if any man in the world were so. . . . He did not seek to have the government

cast upon him. No, but to my knowledge he did several times petition the king that the people might enjoy the great privilege of choosing their own governor. He is now dead, and not capable of being flattered; but this I must testify concerning him, that though, by the providence of God, I have been with him at home and abroad, near at home and far off, by land and by sea, I never saw him do an evil action, or heard him speak anything unbecoming a Christian."

Sir William kept a chaplain in his own house. In the inventory of his personal property is mentioned furniture "in the chaplain's chamber." John White, who officiated in that capacity, died in 1721.[1]

[1] "On the 11th instant, in the morning, died John White, Esq., of the small-pox, in the fifty-third year of his age, after a very exemplary and useful life; and as he was universally and highly esteemed while he lived, so in death greatly lamented. He was born in Roxbury, and at twelve years old admitted into Harvard College, where he took his degrees of Bachelor and Master of Arts. His first public appearance was as chaplain to Sir William Phips, when Governor of this province, to whom and all persons of figure in the town he then endeared himself, by a shining integrity, wisdom, humanity, and piety, the crown of all. After Sir William's death, he was for three years successively chosen one of the representatives of the town of Boston, and twenty years together, annually chosen Clerk of the Honorable House of Representatives, which trust he discharged with great reputation, and it has made him known and honored through the land for his powers, and great integrity, and zeal for his country. In the year 1714, after the death of Thomas Brattle, Esq., he was made treasurer of the College, in which trust he has been ever since. . . . His funeral was attended with great honor and respect. Was buried the 13th, was laid in Mr. Belcher's tomb, the uppermost of the wall, in the south burying place, — gloves and rings." — From the *Boston News Letter of December* 18, 1721.

In the Probate Office of Boston is the will of Sir William Phips, of which this is a copy: —

"In the name of God, Amen. Be it known unto all Christian people that I, Sir William Phips, Knight, of Boston, in Massachusetts Bay, N. E., being at present time in good health, memory, understanding, and reason, having considered the certainty of death, and the uncertainty of the time and hour thereof, have thought fit to make and declare this my last will and testament.

"*Imprimis.* — I do recommend my immortal soul unto the hands of Almighty God, my Maker, hoping for salvation in and through the meritorious death and passion of my blessed Lord and dear Redeemer, Jesus Christ. And my body to be decently interred and buried according to the discretion of my executrix hereafter named, in hope of a glorious resurrection in the last day; and what worldly estate it has pleased God to bestow upon me to be disposed of as follows: —

"*Item.* — To my brother James, or his heirs, the sum of five shillings sterling money of England, in full of all demands or claims, legacies, and inheritances of and from me, he being heretofore through my means sufficiently provided for.

"*Item.* — To my dear and entirely ever-beloved consort, Mary Phips, I give all my real and personal estates, lands, etc., in any country, under any kings, princes, etc. If my wife die without a will, it shall descend to my adopted son, Spencer Phips, alias Bennett, and his heirs. If he die without a will, it shall be divided, — one half to my sister, Mary Margaret, and heirs of my sister Ann, deceased. And the other half to my wife, reserving out of my estate one hundred pounds, which my heirs shall pay to John Phips, son of my brother, John Phips, deceased. If my wife die before my adopted son be of age

or married, I appoint my friends, Captain John Foster, Esq., and Captain Andrew Belcher, of Boston, merchants, to be trustees.

"I appoint my beloved consort to be sole executrix of my will.

"Signed in the presence of John Philips, John White, John Hiskett, Isaiah Stone, and John Grenough."

The will was executed on the 18th of December, 1693. It was proved on the 13th of June, 1695.

Sir William's widow died in 1704, leaving to her adopted son, Spencer Phips, the bulk of her property. She was then the wife of Peter Sargent, of Boston.

It is surprising that Sir William's mother's name does not appear in the will, as Cotton Mather asserted that she was living when he wrote his life of Governor Phips.

In 1739, John Phips, of Wrentham, petitioned the General Court for a "Canada grant" (land for the soldiers who were in the Canada expedition) in the right of his uncle, Sir William Phips, and another in the right of his brother James. This John was probably son of John, who are both mentioned in Sir William's will.

Judge Sewall mentions the purchase by Lady Phips in 1687, of a house and lot on what is now Charter Street, Boston; subsequently several small lots were purchased, bounded by Charter and Salem Streets, the whole forming a large corner lot in an elevated situation. In the centre of this lot Sir William's new house was built in 1688.

Judge Sewall says he put a stone in a column of it in August of that year. The house was of brick, and of two stories, with a portico and columns. So the Maine shipwright's prediction, that he should yet own "a fair brick house in the Green Lane of North Boston," was verified to the letter. That was the name of Salem Street up to 1708. After Governor Phips's death and Cotton Mather's memoir had appeared, Calef, of Roxbury, in his controversy with Mather, wrote that "Phips's prediction and its fulfilment would have been counted in Salem pregnant proof of witchcraft, and much better than what were against several that suffered there."

There are persons remaining who can recollect the fair brick house. It stood back from both streets, fronting on Charter Street, so named by Sir William in honor of the new charter. A paved walk led from the portico to the elaborate gateway, which was arched. The coach-house and stables were on Charter Street. Southwest on Salem Street were the lawn and gardens. On the walk, on both streets, was a row of stately buttonwoods. This description I received from a lady who was born and spent her childhood in the vicinity. The appraiser's inventory of the personal estate, in the Suffolk Probate Office, gives the furnishings of each room of the house.[1]

[1] A true and perfect inventory of all and singular the goods and chattels, rights and credits, of the Honorable Sir William Phips, Knight, late of Boston, in the County of Suffolk, in New England,

He left no children. His wife afterwards married Peter Sargent, a councillor of the Province,

deceased, taken and appraised by us whose names are hereunto subscribed, at Boston aforesaid, the 9th of September, *Anno Domini* 1696.

Imprimis. — His purse, apparel, and books. £400.

In the Hall. — Two tables, and one carpet, twelve cane chairs, and one couch, one large looking-glass, two pairs brass andirons.

In the Dining-Room.— One clock, three tables, fourteen chairs, one couch, one squab, one looking-glass, one pair andirons and candlestick, fire-shovel and tongs.

In the Closet. — One case of christal bottles, five brass musquetoons, one case of pistols, two swords, and one cutlash.

In my Lady's Room. — Item, one repeating clock, one bed, furniture, silk quilt, and silk curtains, one chest of draws, dressing-box, table and stands, one looking-glass, and six chairs.

In the Hall Chamber. — Item, one bed, furniture, silk quilt, and silk curtains, and dozen and half cushions, scriptore and stand, table, dressing-box and stands, one looking-glass, and twelve cane chairs, and squabbs, china ware to the chimney-piece, pair of brass andirons, fire-shovel and tongs.

In the White Chamber. — One bed, furniture, quilt, and curtains, one table, one chest of draws, six Turkey worked chairs, one looking-glass, and two trunks, six dozen of diaper napkins, four dozen of plain, six pairs of Holland sheets, twelve pairs of coarse sheets, six diaper table-cloths, twenty other cloths of other sorts, two dozen diaper napkins, one dozen and half pillow-beers, six bolster-cases, three dozen towels.

In the Closet. — One small bed and furniture.

In the Maid's Chamber. — Item, one bed, furniture, and curtains, table and small looking-glass.

In the Chaplain's Chamber. — Item, one bed, furniture, and curtains, one table and six leather chairs, one gun, one barber's case, hone, and two razors, and two pairs of scissors.

In the Little Chamber. — One negro woman's bed, furniture, and curtains.

In the Garretts. — Item, saddle, holsters, and housing, one piece of sheet Holland, one piece of canvass, one remnant of narrow grey cloth, twenty-two yards of duffills, eight brass kettles, and one remnant of Oznabriggs, three servants' beds and furniture.

In the Kitchen. — Item, one large kettle, four smaller, two iron

whose princely residence was in 1716 purchased by the Province for a residence for the royal governors, and was called the Province House. Its walls, covered with mastic, are yet standing. After the third marriage of Lady Phips her house was occupied as a town residence by her adopted son and heir, Spencer Phips. He was the son of her sister, Rebecca Spencer, of Saco, and her husband, Dr. David Bennett, of Rowley. He was born in that town in 1685, and early adopted by Sir William and his lady, and took the name of Phips, which was confirmed to him by the court in 1716. He graduated at Harvard College in 1703, was a colonel and representative in 1721, councillor from 1721 to 1732, lieutenant governor from 1732

pots, one jack and three spits, one pair of andirons, fire-shovel and tongs, one gridiron, one iron fender, one skillet cased with silver, two bell-metal skillets, two hundred and thirty-seven lbs. weight of pewter (ware), six candlesticks, one warming-pan, one dripping-pan, one chopping-dish, two lanthorns, one frying-pan, sundry small necessaries such as box-heaters, two cases of knives, skimmers.

Item, one thousand two hundred and forty-four ounces of silver plate at 6*s.* 8*d.* per ounce, earthen ware, wooden ware, and glass bottles.

Item, coach and horses, one saddle horse.

Item, one negro man, boy, and negro woman.

Item, the yacht sold at eighteen hundred pounds, one sixteenth of the ship Friendship, one cart and geers, one lead cistern in the back yard. Total Value, £3,377 19*s.*

This is a true and perfect inventory, exhibited by me.

MARY PHIPS.

JOHN PHILLIPS.

ANDREW BELCHER.

Jurat, WILLIAM STOUGHTON.

ISAAC ADDINGTON, *Register.*

The original inventory transmitted for England by order.

to 1757, when he died at his elegant homestead and farm in Cambridge, aged seventy-two. In 1719 he was appointed guardian to his minor children, William Phips aged nine, Sarah aged five, and Elizabeth aged two years; and was authorized to receive all the estate which was left to them by their grandfather, Hon. Eliakim Hutchinson, of Boston. After the last, there must have been a son born whose name was David. He is mentioned as graduating at Harvard College in 1741. He inherited the homestead in Cambridge, and resided there until the Revolution. He was sheriff of Middlesex, and adhered to the king. He went with his family to England, and died at Bath, in 1811, aged eighty-seven. The estate at Cambridge was confiscated.

Sir William Phips's mansion was occupied by the Rev. Dr. William Walter, Rector of Christ's Church, from 1792 to 1800, whose remains rest in a vault under this neighboring historic edifice, on whose tower the signal lanterns were displayed on the night preceding the march of the British troops to Lexington and Concord, in 1775. The Phips house was the pride of the North End. Soon after the death of Dr. Walter, it had a third story added, and its quaint roof with dormer windows was replaced by a common pitched roof, and was occupied by the institution now known as the Farm School, and had this inscription over the arched gateway, "Asylum for Indigent Boys." While the house was thus occupied, a block of brick

buildings was erected on the lot on Salem Street. Previous to this it had an unobstructed view of the harbor. The asylum was removed, and the time-honored building was taken down about 1834. So massive were the walls that a gentleman who witnessed the falling of the front says that "it shook the whole of Copp's Hill." Governor Phips's name is perpetuated by "Phips Place," which marks the northwest boundary of the homestead of the first royal governor of the Massachusetts Province; and now every "twig, turf, and splinter" of his fair residence in the Green Lane of North Boston has passed away.

In 1875, our late associate, Hon. George T. Davis, called the attention of the Society to a pencil sketch of an ancient portrait in oil, in the possession of two sisters named Blackstone, of Boston, formerly of Falmouth, Maine. They represent that their great grandfather was Danforth Phips, of Massachusetts, and that the portrait has always been in the family, and known as a likeness of Sir William Phips. There is no doubt but they are sincere in this belief. A gentleman of Portland, now over eighty years old, recollects that the portrait hung in the Blackstone house at Falmouth fifty years ago, and was shown as the portrait of Governor Phips. Mr. Davis also called the attention of the Massachusetts Historical Society to the picture, and they appointed a competent committee to investigate as to its authenticity. They did so, and reported that it was probably a

portrait of some member of the Danforth Phips family, but that there was not sufficient evidence that it represented Sir William Phips. I have seen the picture, and heard the statements of its owners and the gentlemen of the committee concerning its origin. My own opinion is that it was painted previous to the time of Governor Phips, as the figure is represented in armor, with a plumed helmet at his side. Armor went out of use, except perhaps a simple breastplate, soon after the invention of fire-arms, and we have seen that the ship from which Sir William obtained his treasure had great guns, which had then been under water forty-five years. Cannon were in use in England as early as 1489. In the next century the armor makers petitioned the House of Commons to compel its use, as their trade would be ruined. Sir William Phips might have borrowed a suit of armor in which to sit for his picture, but it is improbable.

What led to the inquiry for a portrait of Governor Phips was a letter received by Hon. John A. Poor from Samuel J. Bridge in 1870, saying that if a reliable portrait could be found, a friend of his, a wealthy Californian, would cause it to be copied and presented to the State, for the rotunda of the state capital. Mr. Bridge had already presented to the State the portraits of Governor Pownall and Sir William Pepperrell.

Francis B. Hayes, 72 Mount Vernon Street, Boston, has what he considers an undoubted orig-

inal half-length portrait of Sir William Phips. He obtained it in Washington city, and traced it to the very valuable collection of the late Thomas Thompson, a wealthy picture fancier of Boston, who was known to have spent six hundred thousand dollars in paintings, and had paid large sums for the rent of buildings to hang them in. Mr. Thompson died about 1867, and his widow sent a large number of the paintings, including the Phips portrait, to George P. Rowell, 40 Park Row, New York city, who sold them by printed catalogue. William Minot, a celebrated lawyer of Boston, was an intimate friend of Thompson, and assisted me in my investigation of the matter of the portrait. He has no doubt about the authenticity of the portrait. He thinks that it remained in Boston from the time of Sir William until it came into the possession of Mr. Thompson, whom he represents as good authority, and as looking sharply to the genuineness of pictures before purchasing.

Mr. Hayes, the present owner of the portrait, is a lawyer of wealth and high standing, and is a connoisseur in art matters. He is a native of Maine, the son of the late William A. Hayes, of South Berwick, who was one of the original members of our Society. Mr. F. B. Hayes will be pleased to show the portrait, and his very valuable collection of paintings, to any member of our Society. It is very desirable that Maine should possess a reliable portrait of so distinguished a

son; and when Maine's next contribution for the National Hall of Statuary at Washington is prepared, I think it should be a statue of Sir William Phips, modelled from this portrait, an engraving of which forms the frontispiece of this volume.

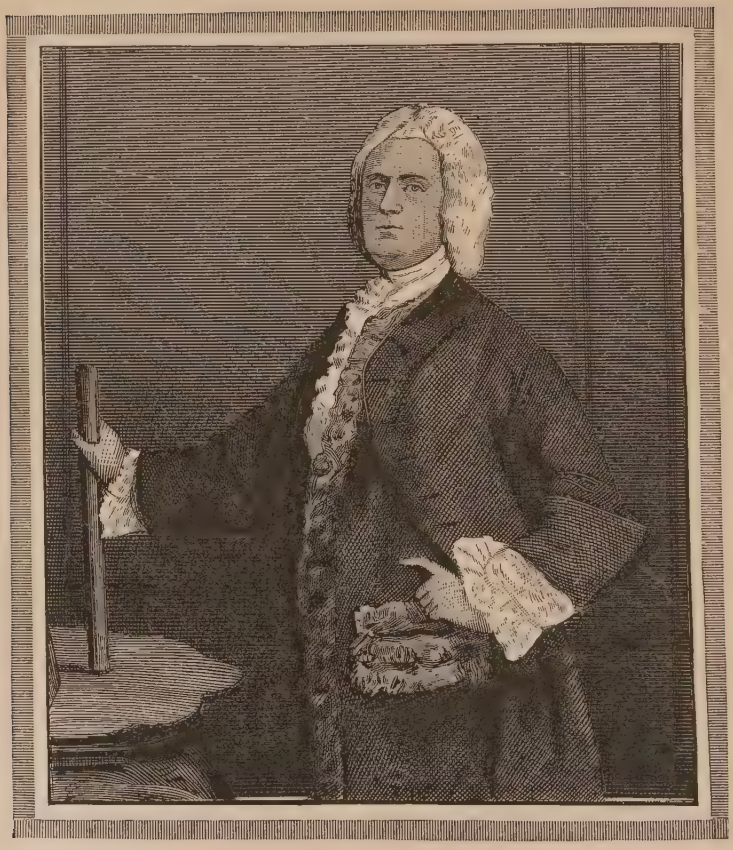
ARTICLE II.

BRIGADIER-GENERAL SAMUEL WALDO.
1696–1759.

By JOSEPH WILLIAMSON,

OF BELFAST, MAINE.

Read before the Maine Historical Society, at Portland, March 30, 1876.



S. Waldo

GENERAL SAMUEL WALDO.

BY JOSEPH WILLIAMSON.

[*Read at Portland, March* 30, 1876.]

AMONG the objects contemplated by our Society is the preservation of biographical sketches of men remarkable in their public career, or who have been distinguished for their enterprise or influence in the early days of our settlement. To further this object I invite your attention to a brief account of the life and services of General Samuel Waldo, who, although not a native of Maine, was closely identified with its interests, and whose enlightened wisdom and personal efforts were largely instrumental in reclaiming from the wilderness what is now one of the most flourishing portions of our State.

General Waldo was born in England, in 1696, and came to this country when four years old. His father, Jonathan Waldo, an eminent merchant, settled in Boston, where he died in 1731, "leaving," in the language of a contemporary, "large donations to public uses." His mother was of German descent. Their wealth, connections, and high character, gave the family an enviable and deserved distinction. During the first part of the eighteenth century Boston had attained to more

refinement and elegance than any town on the continent. "A London citizen would almost think himself at home there," wrote a historian in 1740, "when he observes the number of people, their residences and style of living, their resources and conversation." Successful commerce and the constant visits of distinguished foreigners imparted to its society a degree of dignity and intelligence remarkable in so new a country. In the midst of such influences, the greater portion of the life of Waldo was passed. But few particulars of his youth have been preserved. At the hands of his father and in the Latin school he received some practical instruction, which, in the various public stations he afterwards filled, enabled him to write forcibly, to speak effectively, and to judge discreetly. At the age of eighteen, he assisted his father as clerk, and a few years afterwards we find him associated in trade with his brother Cornelius, having their store at first on King, now State Street, and afterwards in Merchants' Row, near the Swing Bridge. They dealt in fish, naval stores, provisions, and lumber, obtaining cargoes of the latter from the eastern part of the Province, which they exported to the West Indies and to Europe. Mercantile transactions gave them an early and extensive acquaintance in Maine, where their acquisitions of real estate, purchased at a low price, increased in value, and were means of an influence which, in a new country, extensive landholders seldom fail to possess. In Falmouth, now Portland, they were large proprietors.

Soon after entering active business, he became connected with a landed interest of great magnitude.

During the brief time which the Plymouth Council held the "Great Charter for New England," they made several grants of land within the District of Maine, which, through all subsequent revolutions of government, have been generally respected and upheld. One of these subordinate grants was the "Muscongus," or "Lincolnshire Patent," to Beauchamp and Leverett, in 1629. This patent embraced land between the Muscongus and Penobscot rivers, and contained, by estimation, nearly a thousand square miles. Its area exceeded that of several of the principalities of Europe. It included the whole of the present counties of Knox and Waldo, except the territory of a few towns. Subsequent surveys added a portion of Penobscot County. For this immense tract of land no consideration was demanded or paid. A fifth part of all the gold and silver ore found on the premises was reserved to the king, and rights of government were also retained. In other respects, the powers of the patentees were complete. No subjects could have received an estate of a higher nature, or be clothed with more exclusive privileges. The lands and islands, the rivers and harbors, the mines and the fisheries, were all under their absolute control. Without license, no one could shoot a bird, fell a tree, or build a hut. The patent was a commercial

monopoly, "open, notorious, exclusive, and adverse."

To the suggestive question, what induced the Plymouth proprietors, without money and without price, to surrender this large territory, an answer may be given by referring to recent bestowals of our national domain in aid of public improvements. It was expected that the settlement of one section would enhance the value of another intermediate or more remote, and such ultimately proved to be the case.

The fisheries were early and vigorously prosecuted by the Plymouth colonists, who had stations at Monhegan and in other localities along the coast of Maine. Their success hastened the occupation of the Muscongus grant. In 1630, Ashley and Peirce, agents of the patentees, came with laborers and mechanics, and established a trading-house on the Georges River, in what is now Thomaston. Although this settlement was temporary, it may be regarded as the first one on any part of the patent. It was broken up by King Philip's, or the first Indian war, which terminated in 1678. After this the whole territory lay desolate for nearly forty years.

On the death of Beauchamp, one of the patentees, Leverett, in the right of survivorship, succeeded to the whole grant, and during several years assumed its management. He died in 1650. Through him the patent descended to his son, Governor Leverett, of Massachusetts, and in 1714,

to President John Leverett, of Harvard College, the great-grandson of the original grantee. Previously, in 1694, Madockawando, Sagamore of the Penobscot tribe, had sold to Governor Phips at Pemaquid a large tract of land included in the grant. Although the Indians denied the authority of their chief to make this conveyance, yet, probably to avoid any controversy, President Leverett purchased whatever right accrued of Spencer Phips, an heir of the governor.

In 1719, peace with the eastern tribes was apparently restored, and Leverett entered upon measures for resettling the patent. Finding the enterprise of too great magnitude for a single individual, he parcelled the land into ten shares, in common, and conveyed them to certain persons thenceforth called the "Ten Proprietors." These owners admitted twenty other partners, termed the "Twenty Associates." Among the latter were the father and brother of Samuel Waldo.

Under the auspices of the new proprietors two plantations, which subsequently became the thriving towns of Thomaston and Warren, were commenced. In the former, two block-houses constituted the means of protection. The progress of the settlement was soon interrupted by an Indian war of three years' duration, during which all the houses and mills that had been erected were destroyed. The block-houses, however, being well defended, withstood several formidable attacks, the last of which was a siege of thirty

days. Peace having at last been concluded, in 1726, the efforts of the Associates were renewed, when an unexpected difficulty arose in the aggressions of one David Dunbar, who had obtained an appointment styling him, "Surveyor General of the King's Woods." Clothed with this royal authority, Dunbar seems to have reversed the Scriptural language, and regarded every man *in*famous, "according as he had lifted up axes against the thick trees." Disregarding the vested rights of the patentees, he claimed a reservation of all pine-trees in Maine having a diameter of over two feet, as masts for the British navy. Attended by an armed force, he drove the lumbermen from their homes, seized their timber, and burned their saw-mills. His extortions became so disastrous to the interests of the proprietors that they determined to send an agent to England for relief. Samuel Waldo was selected for the purpose. After great exertions and a long stay abroad, he succeeded in procuring a revocation of Dunbar's authority. So valuable were his services that the thirty persons conveyed to him one half of the whole patent as a remuneration for the money and efforts which he had expended in obtaining a recovery and future guaranty of their rights.

The accession of Waldo to so large an interest in the patent gave new vitality to the means undertaken for its development. By computation three hundred thousand acres still belonged to the old proprietors. In 1734 he contracted with the

Twenty Associates to purchase a portion of their shares, and the indenture, which is still preserved, exhibits the signatures of the original grantees or their representatives. This left the Associates one hundred thousand acres, which he agreed to set off in any portion they might designate, the tract to be five and one quarter miles on Penobscot Bay, and extending thirty miles into the interior. The arrangement remained incomplete until 1768, when a survey demonstrated that at about twenty miles from the shore the line encroached upon the Plymouth Patent. To complete the requisite quantity, Montville and a portion of Liberty were added, which, with Camden, Hope, and Appleton, are designated upon the early maps of Maine as "Land of the Twenty Associates."

But while engaged in the cultivation and improvement of the patent, Waldo maintained his influential and prominent position at home. For several years he was chosen a member of the Provincial Council, and as the confidential associate of Governors Belcher, Shirley, and Pownall, his advice secured an interest in the affairs of Maine which otherwise would have been without attention. We find him occupying various other local public stations. In 1742 his name appears among a committee selected to thank Peter Faneuil for his gift of Faneuil Hall. At about this time, the militia system of Massachusetts having been reorganized, he was appointed colonel of the eastern regiment, which was nearly thirteen hundred

strong, and embraced the territory in Maine east of the Saco River.

In 1745, the celebrated expedition against Louisburg was undertaken. Colonel William Pepperrell was selected as commander-in-chief over the land forces, and Waldo as third in rank, with the title of Brigadier General. "The two," says Eaton, "were chosen for their popular manners, energetic character, and great moral worth, rather than any skill in military affairs, in which neither had any experience beyond that of Indian skirmishes." But the event proved that indomitable resolution and enthusiastic confidence can sometimes effect what the most consummate skill would shrink from in despair. Under the auspices of these determined men, enlistments were made with vigor, and a sufficient force was soon raised for the expedition. Many of the settlers on the patent entered the service. By a succession of events favorable to the English, and equally adverse to their foes, Louisburg, the Gibraltar of America, surrendered, as is well known, after a brief siege, to the great joy of the colonists, and the astonishment of Europe. The conspicuous part which General Waldo took in the operations will always be remembered with appreciation and praise. After the capture General Waldo returned to his ordinary vocations. But he did not pursue them without interruption. In the winter of 1746–47 Massachusetts raised fifteen hundred men to march in midwinter against Crown Point.

In the House of Repr^ves June 26 1746

Whereas this House are informed that the Honorable Samuel Waldo Esq^r. Brigadier General in the late Expedition against Cape Breton, arrived this day from Louisburg. Therefore Voted that Col^o Hale Capt Laurence W^m Royal Col^o Miller and Col^o Lincoln be a Committee to wait upon that Gentleman, and in the name of this House Congratulate him upon his safe return to this Native Country

Tho^s Hutchinson Spk^r

The command was given to him, but the troops were attacked by small-pox, which frustrated the enterprise. In 1749, Waldo embarked for England with his two sons, Frank and Ralph, the former to be educated in Paris, and the latter to remain in London, where the general expected to be detained some time in settling private claims, and probably in soliciting royal favor. His old companion in arms, Pepperrell, now Sir William Pepperrell, had preceded him. Both were soon presented at Court, where King George II. gave them a cordial reception and bestowed high encomiums on their military services. A close intimacy had existed for years between the two generals. They were connected by marriage, and as the biographer of Sir William observes, several coincidences marked their lives. Both were extensive landholders in Maine; the two commanded the two regiments of the eastern counties; they were many years associated in the Governor's Council; they were at Louisburg together; their children were betrothed; they passed a year together in England; they were born in the same year, and died within a few days of each other. As General Waldo's title to the patent descended to the heirs of his daughter, Hannah Waldo, a brief account of her engagement to Andrew Pepperrell, the only son of Sir William, and its sudden termination, has a romantic interest. He was born in 1723, and was the prospective successor of his father's wealth and title. Of superior education and of high so-

cial position, it is not strange that an attachment should have sprung up between himself and the lady, who is said to have been accomplished and beautiful. To the gratification of both families they became betrothed, and in 1748 were published. Owing to the severe illness of young Pepperrell, the marriage did not take place according to arrangement.

For reasons which are unknown, a postponement for three years occurred, when a second nuptial day was selected, and, to quote from Dr. Parsons: "Miss Waldo made preparations in a style becoming the occasion, and of the distinguished guests that were to attend. A few days before that appointed for the wedding had arrived, her intended husband wrote that circumstances had rendered another delay necessary. This was too much for her to bear; her mind from that moment was firmly fixed. She returned no answer; the bridegroom, the guests from far and near, minister and all, assembled at the appointed hour and place, when she enjoyed the sweet revenge of telling Mr. Pepperrell that she would not marry one who had occasioned her so much mortification, and who could not have that love and friendship for her that was necessary to her happiness." "The probable solution of his mysterious conduct," continues Dr. Parsons, "is a protracted sickness immediately after being published, succeeded by heavy business losses, which produced a settled state of despondency." In every-

thing else through life he was exemplary and unexceptionable. The dignified conduct of General Waldo, placed in so delicate and trying a relation to the affair, was graceful and appropriate, and that of his daughter blameless and commendable. She does not appear to have suffered from a broken heart, for in less than six weeks afterwards she was led to the altar by Thomas Flucker, Secretary of the Province. Andrew Pepperrell died in a few months of sudden fever.

Notwithstanding the public employments of General Waldo, his exertions in developing the resources of the patent were not abated. Forty-five Scotch-Irish emigrants, who had been some time in America, accepted his favorable offers for settlement, and founded what is now the town of Warren. Lots of one hundred acres were given to each, with the reservation of a quit-rent of "one peppercorn per annum, if lawfully demanded," which was probably intended to preserve a kind of feudal claim in the family, and prevent the lands from escheating. In Thomaston, he commenced the manufacture of lime in large quantities for the Boston market. Under his supervision saw-mills were erected on the Georges River, and supplied the settlers with provisions and other necessaries in exchange for the productions of the forests. In 1740, forty families from Brunswick and Saxony, tempted by the inducements which Waldo had caused to be distributed in their language throughout Germany, arrived at Broadbay, and

established the present town of Waldoboro. While in London, he issued printed circulars, inviting emigrants to settle upon his lands, which attracted the attention of persons in Scotland. A colony soon came over, the expense of their passage being paid by his agents in Glasgow. At about the same time his son Samuel, styling himself by the somewhat high-sounding title of "Hereditary Lord of Broadbay," visited Germany with proclamations inviting further emigration. A translation of one of these documents, after giving an account of General Waldo's military achievements, the quality and unencumbered title of his lands, and the adaptation of the climate to the German constitution, contains the following: "Such and the like favorable circumstances might, I should think, animate our Germans, here and there, to move into such a fruitful land, so well situated on the sea and rivers, with such good right, and privileged, regulated, and of such a mighty and reasonable Lord possessed and parently governed, who offers it to those who are able to pay their passage without ever expecting the least reward for it, where they may serve God after their Protestant religion, and are able to maintain themselves and others." These offers were the means of a further emigration of sixty families, who joined their countrymen at Broadbay. According to their statement, Waldo was to give them one hundred acres of land each, and, during the first season, furnish them with suitable dwellings and

provisions. For actual settlement or public uses, Waldo seems to have affixed no value to his estate. In 1747, when the Province House in Boston was burned, and a question arose of changing the seat of government to some other location, partly in earnest and partly in joke, he offered the legislature "a gift of one hundred thousand acres, and that adjoining the court-house, if they will build it at Penobscot; and rather than fail, though my esteem for land does not abate," he wrote Sir William Pepperrell, "I would go to a further quantity, if well assured all the members would attend there."

The establishment of a fortification at the mouth of Penobscot River was recommended by General Waldo, at the renewal of hostilities between the French and English in 1755. Garrisons existed on the St. John and Kennebec, and the only avenue open from Canada to the ocean was the Penobscot. It was of the greatest importance that this avenue should be closed. On account of the war and the consequent burdens imposed upon the people, the project was postponed until 1759, when it received attention. The General Court made ample provision for the purpose, and in May Governor Pownall, with an armed force of four hundred men, proceeded to that part of the Province, where measures were taken for erecting a substantial fort. General Waldo took great interest in the expedition, which he accompanied as one of the councillors, expecting that the value of

his land would be enhanced by the protection of a military force. On the 23d of May, while exploring the eastern bank of the river a few miles above Bangor, he died suddenly of apoplexy. His remains were brought the next day to the point where it was determined to erect the fort, where a vault was prepared, and on the following evening were buried with military honors and religious ceremonies. There is no record of the removal of his remains from Fort Point, but the place of their deposit has been long since obliterated and forgotten.

The age of General Waldo was sixty-three years. In person he was a man of commanding presence, tall, stout, and of dark complexion. His portrait, probably painted by Smibert, now adorns the picture gallery of Bowdoin College. It represents him in scarlet coat, waistcoat, and small-clothes, with a smooth-shaven face, and powdered periwig; the waistcoat, richly embroidered according to the prevailing fashion, descending almost to the knee, and forming the most conspicuous part of his dress. His right hand holds a truncheon, probably for the better display of the heavy lace wristband.

Genèral Waldo was married in 1722 to Lucy, daughter of Francis Wainwright, of Ipswich. She died in 1741, leaving five children, Samuel, Francis, Ralph, Hannah, and Lucy.

Samuel, the oldest son, graduated at Harvard College in 1743, and immediately came to Fal-

mouth. The next year he was chosen Representative to the General Court. "The influence of his father, who owned large estates here," says Willis, "probably secured his election." He was appointed the first Judge of Probate for Cumberland County, and held that position at the time of his death in 1770.

Francis, the second son, graduated at Harvard College in 1747. He also resided in Falmouth, where he was Collector of Customs from 1758 to 1770. At the commencement of the Revolution he went to England and never returned. He died in 1784.

Ralph, the third son, died a minor.

Lucy married Isaac Winslow, of Roxbury.

Hannah, as has been already mentioned, married Thomas Flucker, the last royal Secretary of the Province. When Boston was evacuated, in March, 1776, she embarked with her husband and other loyalists for England, where she died a few years after.

To these four children the patent descended. Samuel, as eldest son, inherited two fifths, the others received one fifth each. Flucker purchased the shares of Samuel. Mrs. Winslow died without children, and her interest succeeded to her surviving brothers and sister. After the departure of Flucker and Francis Waldo to England, their property became forfeited to the state, under the confiscation acts, and was administered upon as though the owners had deceased.

In 1774 Henry Knox, afterwards so famous in the annals of the country, but then only a bookseller in Boston, married Miss Lucy Flucker, the second daughter of Mrs. Flucker, and the granddaughter of General Waldo. All her aristocratic friends and relatives, who were Tories, strongly opposed the match, the sympathies of Knox, as was well known, being on the side of Independence. At the commencement of the Revolution, she again sacrificed the ties of kindred for those of another nature. Estranged from her parents, she accompanied her husband through the trying scenes of the great conflict, and shared with him its toils and perils. Such were the vicissitudes of the family, that in a few years, while her father, and her uncle Francis Waldo, the only surviving son of the general, exiles from their country and destitute of property, were dependent upon the bounty of the British crown, Mrs. Knox had attained a higher position than their wealth and influence had ever dreamed of.

After peace was declared, General Knox, by the rights of his wife and by purchase, effected a consolidation of the different shares, which, however, were alienated before his decease. The only portion of the patent which remains intact is an island of seven hundred acres in Penobscot Bay.

It is safe to assert that the enterprise and perseverance of General Waldo hastened the development of the Penobscot Valley by at least a generation. He found the patent a wilderness; he left

it containing ten flourishing plantations. Over a century has elapsed since his death, yet during this long interval he has not been unremembered or unhonored. A county and two towns perpetuate his name, while one of the loftiest granite hills within sight of his earthly resting-place is called from him Mount Waldo. In whatever aspect he is viewed, whether as the enterprising merchant, the successful courtier, the military hero of Louisburg, the promoter of education, the founder of settlements on the Penobscot, by whose influence and exertions they were fostered, protected, and sustained, we can accord to him a title to respect, which time will only strengthen and increase.

Since the foregoing was written, evidence of the removal of the remains of General Waldo to the burial-ground of King's Chapel, in Boston, has been discovered, as appears by the following communication to the "New England Historical and Genealogical Register" for October, 1882: —

THE BURIAL-PLACE OF GENERAL WALDO.

[BY THE HON. JOSEPH WILLIAMSON, A. M., OF BELFAST, ME.]

General Samuel Waldo, a distinguished citizen of Boston, the second officer to Sir William Pepperrell in the siege of Louisburg, and the proprietor of the large tract of land in Maine known as the Waldo Patent, died suddenly near Bangor, May 23, 1759, while upon a tour with Governor Pownall, for the purpose of establishing a fort on Penobscot River. The "Boston News Letter"

of Thursday, May 31, 1759, gives the following account of his obsequies: —

"On Wednesday the 23d Instant the Honorable Brigadier General WALDO, who went with his Excellency in his late expedition to Penobscot, drop't down with an Apoplexy on the March just above the first Falls; and notwithstanding all the Assistance that could be given, expired in a few Moments. His Excellency had the Corps brought down with him to the Fort Point, where it was interred in a Vault built for the purpose on Friday, with all the Honours due to so faithful a Servant of the Public, and so good a Commonwealth's Man as the Brigadier has ever shown himself to be. — Upon landing the Corps, it was received by a guard, and when Procession began the Ship King George fired Half-minute Guns 'til it arrived at the place of Interment: — The Procession was lead by an Officer's Guard, next to which the Minister, then the Corps carried by the Bargemen of the King George, and the Pall was supported by the principal Officers: The Governor followed as chief Mourner, then the Officers of the Troops and the Master-Artificers, employed in building the Fort, two and two; and the whole closed with a Captain's Guard: Upon coming to the Ground, the Troops under Arms form'd a Circle. Divine Service was performed, and a Sermon suitable to the awful Occasion preached by the Reverend Mr. *Phillips:* And upon the Interment of the Corps, the Guards fired three Vollies over the Grave."

Governor Pownall's journal of the expedition says: —

[May] "25th. At Evening Buried Brigdr Waldo at the Point near the Flagg Staff, with all the honors of War in our Power."

The "Point" was Fort Point, at the mouth of the Penobscot, where Fort Pownall was then being built. Outlines of this fortification are still distinct. Every indication of the vault referred to has long since disappeared.

It is generally supposed that the remains of General Waldo continue to repose in their original burial-place.

At the centennial celebration of the first settlement of Waldo County, held July 28, 1859, on the site of Fort Pownall, the spot was eloquently alluded to by the orator of the day, and in speeches, as containing the ashes of the proprietor from whom the county derived its name. Local historians have since extended the belief.

No itemized charges appear in the settlement of General Waldo's estate, in the Suffolk Registry of Probate. But among the invaluable Knox manuscripts owned by our Society is the account of Thomas Flucker, one of the administrators, which contains the following charges: —

1759, July 6.	Ralph Inman, 15½ dozen gloves at the Funeral	£28.	18s.	8.
3.	Thomas Sanders, his expenses at the Funeral	1.	8s.	
	Clark, the Porter, carrying gloves.		8s.	
Aug. 3.	William Fairfield, repairing the tomb near Kings Chapel . . .	6.		
1760, July 9.	To Capt. Sander's people the care in removing the remains of the Brigr from Penobscot . . .	1.	4s.	
	To Mr. Clarke, the Sexton . .	1.		

From this it is evident that General Waldo is buried in King's Chapel Burial-Ground, in Boston. Bridgman's "Inscriptions" erroneously mentions "Brigadier General Waldo, of Waldoboro'."

Captain Thomas Sanders was for many years commander of the Province Sloop Massachusetts, a vessel frequently employed in transporting government troops to the eastern forts and trading-houses.

ARTICLE III.

CLAUDE DE LA TOUR.

By JOHN EDWARDS GODFREY,

OF BANGOR, MAINE.

Read before the Maine Historical Society, at Portland, May 15, 1879.

CLAUDE DE LA TOUR.

BY JOHN E. GODFREY.

[*Presented March* 14, 1878, *but not read. Read May* 15, 1879, *at Portland.*]

CLAUDE and Charles de La Tour were prominent actors in the early history of Acadia. In some of the histories in which the affairs of Acadia and New England are involved, these persons are seemingly confounded with each other, and the father is implicated in transactions in which the son only was concerned. This paper is intended to embody the incidents in the life of the former which have been preserved, that the latter may have all the honor or odium of which he is deserving, in one of the most romantic episodes in New England history.

The great minister of Henry IV. of France, Sully, did not approve the movement in that country, in 1603, for the colonization of Canada. He had no faith that riches were to be obtained in the New World in any country north of the fortieth parallel, therefore he set his face against all such projects. Nevertheless an expedition was

fitted out, and the king gave the conduct of it to De Monts.[1]

The king had signed the edict of Nantes on April 13, 1598. Under it the Protestants were admitted to places of trust from which before they had been excluded. De Monts was a Protestant, and his colonists were both Protestants and Catholics.

Whether Claude de La Tour was with the first company that sailed with De Monts does not appear. It is believed that he and his son Charles, a lad about fourteen years old, were with Poutrincourt, the friend and companion of De Monts, at Port Royal, in 1606–7, and that he was at Port Royal in 1609.[2]

Poutrincourt had had his dream of a beautiful home at Port Royal, and a brief experience in that attractive region. But the Jesuit followed him, and, though he was a worthy Catholic, worried him back to France, where, a few years afterward, he was slain in the service of his king. Biancourt had succeeded his father in the command of Port Royal, as the younger Poutrincourt, but the Jesuit, with persistent malignity, followed him also. He guided the Englishman to the colony, and betrayed into his hands his own countrymen whom he could not control. Biancourt became a wanderer in the wilderness, with Charles de La Tour and others of his countrymen, sometimes in the garb of the savages. He died in 1622–3, claiming jurisdiction of

[1] Sully's *Memoirs*, book xvi., close.

[2] Ferland's *Canada*, part I. p. 71; Murdoch's *Nova Scotia*, i. 45.

the country in behalf of his king, and leaving Charles de La Tour, as his lieutenant, in command of his stronghold, Fort St. Louis, at Cape Sable.

Little mention is made of Claude de La Tour until a later period. This gentleman was from the old Province of Champagne (since carved into the departments of Ardennes, Maine, Aube, and Upper Maine), a district in which the Protestants were, after the massacre of St. Bartholomew, still strong, and continued strong until after Henry of Guise and the Holy League, with its desperadoes and libertines, had hunted them across its borders.[1] La Tour was of a good family, and was born probably not many years after the middle of the sixteenth century. He was a Protestant, and not unlikely one of the despoiled religionists, for he was poor in Paris early in the seventeenth century, and it was said plying the trade of a mason.[2]

It was claimed by his descendants that Louis XIII. granted him large tracts of land, and various histories assert that he had title to a territory about ten leagues square near the mouth of the river St. John, but authority for this is wanting.[3] That Henry IV. might have made the grant is possible, but his successors were not so well disposed towards the Huguenots as to make them such gifts. Indeed, about the time when some his-

[1] Guizot's *France*, iv. 398.

[2] Murdoch's *N. S.*, i. 73. Haliburton says he had "considerable private fortune." *Hist. N. S.*, i. 44.

[3] Williamson's *Maine*, i. 245; Campbell's *Hist. N. S.*, p. 51.

torians say this grant at St. John was made to him (in 1627), the disposition was to exclude them from all participation in the colonization of New France. The articles of Cardinal Richelieu's company of the "Hundred Associates," signed April 29, 1627, provided that no foreigners or heretics should enter the country.

Claude de La Tour (or rather Claude Turgis de Saint Étienne, Sieur de La Tour, as he is designated) does not come prominently into notice until 1627–8. Sir William Alexander, afterwards Earl of Stirling, who in 1621 had obtained a grant of Acadia from King James I. and had made some feeble attempts to colonize it which proved abortive, at length awoke to a sense of the value of his possessions, and conceived a plan by which he hoped to induce influential men in Scotland to unite with him for the purpose of rendering Acadia, or Nova Scotia, as it was called in his charter, an important dependency of the kingdom of England. This plan was to divide the grant into provinces, dioceses, baronies, and parishes. There were to be one hundred and fifty baronies, and the barons were to have precedence immediately after the youngest sons of viscounts and lords baronets of parliament, and the prefix of "Sir" to their names.

Only gentlemen of family were offered the honor of knights baronets. The offer was accompanied by that of a barony embracing about twenty-four miles of territory. For this a consid-

eration of a thousand marks (about two hundred and fifty dollars) was required, and each baronet was to send to the colony six men, armed, apparelled, and victualled for two years; or, instead thereof, he might pay two thousand marks, to be applied for the colonization of the country. The lands were released by Sir William to the king, and regranted by the king to the several knights on conferring the honor of knighthood.[1]

The territory embraced by the charter to Sir William was what now constitutes New Brunswick, Nova Scotia, Cape Breton, Prince Edward Island, the Magdalen Islands, and a part of Canada East.

Sir William Alexander's roll of baronets did not fill rapidly. In the last seven months of the year 1625, nineteen were secured; in 1626, only nine; in 1627, thirteen; in 1628, twenty-two; after that the number averaged only five a year until 1638, when the enrolment ceased. Only one hundred and thirteen of the one hundred and fifty were ever enrolled.[2]

In 1627, when King Charles's prime minister, the Duke of Buckingham, made his *personal* war upon France, ostensibly in behalf of the Huguenots, and his disastrous expedition to the Isle of Rhe, Sir David Kirk, a Huguenot, born in France, who had chosen to become an English subject, under the auspices of Sir William Alexander, at

[1] Slafter's *Sir William Alexander, Prince Coll.*, p. 50.
[2] *Ib.* p. 59.

the instance of the king, fitted out an armament for the purpose of taking possession of New France.

The question of ownership, in relation to this country, had long been in dispute between England and France, the former claiming it by priority of discovery, the latter by priority of possession. John and Sebastian Cabot having made voyages to the shores in 1597–8 under English auspices; and De Monts and Champlain having made actual settlements at St. Croix, Port Royal, and Quebec, in 1604–1608, under French authority.

In his several expeditions to New France, Kirk captured many French vessels with their ordnance, took many prisoners, compelled the surrender of Quebec, and left a Scotch colony at Port Royal under Sir William Alexander, Junior, as governor. In one voyage he captured a fleet under De Roquemont, on its way to Quebec. Among the prisoners taken by him at this time was Claude de La Tour.[1]

Charles de La Tour was then still in command of the French fort, St. Louis, at Cape Sable, and was ambitious of obtaining the command of all the coasts of Acadia under French authority. In order to accomplish this, he addressed a memorial to King Louis XIII., requesting it, and expressing confidence that with the French people he had with him and the warriors of a hundred Souriquois families on whose attachment he could count, he could maintain himself in his possessions. This

[1] *French and English Commissaries*, i. 42.

memorial he committed to the charge of his father, who was to present it to the king. It was on his return from this mission that Claude was captured by Kirk.[1]

As he was of the same religious faith with Kirk, the opportunity was favorable, on the return voyage to England, for Kirk to acquaint him with Sir William Alexander's plans in reference to New Scotland, and to awaken in him an interest in them. It is not difficult to understand how, at that period when so much bitterness existed between the Catholics and the Protestants, a religionist like La Tour might be influenced to look favorably upon a plan which would save Acadia from the domination of the French Jesuits. The flattering reception he met with in England, and the representations which were made to him by his brother religionists, overcame his loyalty to the government of his native land, and led him to join in this colonizing movement of the English.[2] He married one of the maids of honor of the English queen,[3] conjectured to have been a relation of Sir William Alexander, and at length became so absorbed in his project that he pledged not only his own efforts, but his son's coöperation, for its success. He had faith that his son's principles were such that he could persuade him to adopt his views, and lend him his aid. He was so infat-

[1] Murdoch's *N. S.*, i. 74.
[2] Murdoch's *N. S.*, i. 74, 75.
[3] Shea's *Charlevoix*, iii. 125.

uated with the idea that he promised to his wife a charming home and delightful life in the New World; and, as may be supposed, she listened to him with gladness.

Prior to his departure from England, he was enrolled by Sir William Alexander as one of his knights baronets, with the style "Sir Claude Saint Étienne seigneur de La Tour." The enrolment was on November 30, 1629. In letters patent of certain territory in Nova Scotia granted to him and his son, dated April 30, 1630, he is styled "Sir Claude de Sainct Étienne, knight, lord of La Tour and of Vuarve," and his son is styled "Charles de Sainct Étienne, esq., lord of Sainct Denicourt."[1]

Charles had no knowledge of the honor intended to be conferred upon him at the time the grant was made. His father only was "present, accepting" for himself, and "accepting for his said sonne Charles being absent," who never accepted. This territory was to be converted into two equal baronies, "the Barony of Sainct Étienne" and "the Barony of La Tour," for the two knights respectively, "upon condition that the said knight, de La Tour, and his said sonne, as he hath promised, and for his sonne by these presents doth promise, to be good and faithful vassals of the sovereign lord, the king of Scotland, and their heirs and successors, to give unto him all obedience and assistance to the reducing the people of the country."

[1] Hazard's *Coll.*, p. 208.

At this period the tie was so weak that bound the French Huguenots to their king, that it is hardly to be wondered at that the flattery of the English, the favors bestowed upon him by their king's favorite, together with the arguments of his brother religionists, should influence Claude de La Tour to enter into an arrangement which he believed would insure him the enjoyment of his views free from the persecution of his own countrymen, especially if he were smarting from the refusal of Louis to grant the request he had presented in behalf of his son. It is easy to understand how a man under such circumstances could argue himself into the belief that to transfer his allegiance from a prince inimical to his faith to a prince friendly to it would be justifiable.

Armed with the assurance of protection, confirmed by the gift of a bride from the household of the sovereign and of a princely domain, with large political authority, he sailed for America with a force of two armed ships, promising that New Scotland would soon acknowledge allegiance to the king of England.

It was a rash promise. He counted too strongly on the coöperation of his son, and, perhaps, on his dissatisfaction with the result of his mission to France. On arriving at Cape Sable, he had an interview with Charles and disclosed the object of the expedition. Charles was shocked, and declined to listen to the proposition. His father urged the slight obligation they were under to the

French king, and that all that was required was that he should transfer his allegiance from the tyrannical to the indulgent prince; that he could continue in his command undisturbed, and would be in a position to receive additional honors. He discovered to him his own influence at the English court, and, by explaining the advantages he expected to derive from it, endeavored to impress him with the idea that similar advantages were open to him; that he had already obtained the honor of knighthood for each of them, with a grant of territory for two baronies; that he had the letters patent of the grants with him, and was empowered to confirm him in his new command at Cape Sable.

Charles told his father emphatically that he could not be guilty of such treason; that he would not change his allegiance; that he would surrender the fort only with his life; that he appreciated the honor that the king of England proposed to confer, yet not sufficiently to betray the trust committed to him by his own sovereign, — a sovereign who was powerful enough to reward him, and if he should not, his fidelity would be a sufficient reward.

His father, surprised and mortified by this reply, returned to his ship. He did not, however, relinquish the hope of persuading his son to yield to his overtures, and the next day he sent him an affectionate letter, urging him to reconsider his determination. This proving ineffectual, he in-

formed him that the fort must be surrendered to the English king, and that, painful as it would be to use arms against his son, yet he should be compelled to resort to them to accomplish the purpose of the expedition. This was equally ineffectual. Charles continued firm in his determination to yield to no blandishments, to no arguments, to no promises, to no threats. The English troops were then landed and marched against the fort. Charles defended it with great vigor, and the commander, who had expected slight resistance, after a siege of two days and the loss of several valuable men, was compelled to retire.

Proud though he had occasion to be of his son's noble conduct, yet he was humiliated by his own position. His scheme had come to a disastrous conclusion. He felt that he could not again appear before his patrons in England, to whom he had made such confident promises. He had disappointed the wife whom he had led to expect a distinguished future ; to return to France was not to be thought of; there was no other recourse than to surrender himself to the son whom he could not corrupt.

He would not ask his wife to share his humiliation, and gave her full liberty to return with the ships to England. But she was of too noble a nature to abandon her husband at this juncture. She had married him ; she was his wife ; his home was her home, his lot her lot ; and " she would make it

her happiness to alleviate the pain of his disappointment."[1]

Notwithstanding the course taken by his father, Charles did not forget his relation to him. It was not proper to admit him into the fort, still he would not expel him from Acadia. He promised to provide him with a habitation in his neighborhood, and support. With this understanding the unhappy knight and his wife were put on shore with their effects and servants.

After this Claude de La Tour was with a hundred Scotch colonists at Port Royal.[2] Haliburton says there is much obscurity in regard to the connection between him and Sir William Alexander,[3] but he built a fort at Granville, opposite Goat Island, on the west side of Annapolis Basin, the remains of which retain the name of the Scotch fort.

Although slight mention is made in the French histories of the affairs of this remote country, yet the conduct of Charles de La Tour in his difficult position was not unnoticed. The government could do no otherwise than recognize such fidelity, and the ministers sent him a letter complimenting his gallantry, and conjuring him to continue steadfast in his duty to his king. Captain Marot was dispatched to Cape Sable with reinforcements and supplies, and on February 11, 1631, Charles re-

[1] Shea's *Charlevoix*, iii. 127.
[2] Ferland's *Canada*, i. 249.
[3] *Hist. N. S.*, i. 51, n.

ceived from Louis XIII. the appointment of Lieutenant General of Acadia, Fort Louis, Port La Tour, and dependencies.[1]

Having lost reputation with the English in consequence of his failure at Cape Sable, Claude found that his prospects of securing a fortune among them were not favorable. Charles's condition, on the other hand, having improved, he contemplated making some provision for the comfort of his father. On consultation with Captain Marot it was concluded to invite him to come to Cape Sable, with the view of learning the condition of the English, and advising him of what had taken place in relation to himself and his command.

The father accepted the invitation, and on arriving at Cape Sable informed his son that the English still had it in contemplation to take the fort. He brought a sad account of the condition of the Scotch at Port Royal. Of seventy who had wintered there, thirty had died from exposure and want of care.

His intelligence had enabled La Tour to be of service to those people. He had been a protection to them, and after he left the savages invested their fort, and, as no relief came, all except one family, who escaped by the aid of a Frenchman, fell victims either to the scurvy or the enemy.[2]

There had come out from France with Captain Marot three Récollet friars, and a number of arti-

[1] Shea's *Charlevoix*, iii. 127, n.

[2] Ferland's *Canada*, i. 249.

sans and workmen, for forming settlements. The captain, friars, and the La Tours consulted together in regard to the settlements to be established, and decided to place one at the mouth of the St. John River. The smaller one of Marot's vessels was to take thither men and materials. It was about this time, doubtless, that the old fort was built, the site of which is in Carleton, opposite Navy Island, and of late years has been owned by a family of the name of Belyea, and occupied by fish-houses and a ship-yard. The ancient name of the fort was La Tour; the modern, Frederick.

In the consultation in regard to the settlements it was resolved to put Claude de La Tour in command at St. John.[1] If this were so, it is probable that he had renewed his allegiance to the French king, otherwise, it is difficult to believe that he would have been intrusted with a post that he could have put into the hands of the English. As his son built him a dwelling in the neighborhood of Cape Sable, in an agreeable situation, with a fertile piece of ground for cultivation, and he was living there in comfortable circumstances with his wife in 1635, his command at St. John could not have been of long duration.[2]

The Treaty of St. Germain was signed March 29, 1632, and it was claimed on the part of France that all Acadia, Canada, and New France passed under the jurisdiction of that country. Charles I.,

[1] Murdoch's *N. S.*, i. 78.

[2] *Description Geo. and Hist. N. A.*, i. 72.

however, denied that he ever intended to surrender his title to Nova Scotia, and insisted that he yielded only certain places occupied by his subjects; that the status of the country was the same as before the war, and he would protect his subjects who claimed rights there.[1] And the English Lords of Trade, in a letter to Secretary Vernon, dated February 17, 1698–9, state that "about the year 1631, King Charles I. made some sort of concession of the said country unto the crown of France, reserving, nevertheless, the right of the proprietors who had before enjoyed it."[2] There was a continual controversy between the two countries in regard to their respective rights in it, until the year 1713, when, under the Treaty of Utrecht, it was yielded by Louis XIV., King of France, to Anne, Queen of Great Britain, and her crown forever. That Sir William Alexander believed that he still retained his rights after the Treaty of St. Germain is evident from the fact that long after that treaty he surrendered lands in Nova Scotia to a commission appointed by the king to convey them to knights baronets.[3]

It is stated by the English Lords of Trade, in the letters above quoted from, and by other writers, that Sir William "sold his right to Claude de La Tour, a Frenchman, to be held by him and his successors under the crown of Scotland," or to the

[1] Slafter's *Sir William Alexander, Prince Coll.*, p. 68.
[2] *N. Y. Col. Doc.*, iv. 475.
[3] Slafter's *Sir William Alexander*, p. 79.

La Tours. Of the sale to the La Tours Mr. Slafter says he "fails to find any evidence whatever." [1] It is, to say the least, questionable whether there was ever any grant to Claude de La Tour, excepting that made to him in 1630, when he was made a knight baronet of New Scotland.

There is nothing definite in regard to Claude de La Tour after 1635, when, as M. Denys says, he was permitted by the young La Tour to see his father in his dwelling. "He received me well," he says, "and obliged me to dine with him and his wife; they had neat furniture."

Mr. Murdoch says that a grant was made, in 1636, of the old dwelling at Pentegoet, ten leagues square, and that, in a *mémoire*, the grantee is said to be "Claude de St. Etienne, the father of Charles de La Tour," and he concludes that "there might have been conflicting claims between d'Aulnay and the La Tours, as to the ownership of Pentegoet, and this would account for their original quarrel." [2]

There is no evidence, within reach, that Claude de La Tour ever made any claim to any part of Acadia west of the St. Croix, or ever visited that portion of the country. This being the case, the severe criticism of the historian of Maine, of his character and of his proceedings at Machias, is not

[1] Slafter's *Sir William Alexander*, p. 76.

[2] Murdoch's *N. S.*, i. 88. It is more probable that this was the ten miles square, said to have been granted to him at the mouth of the St. John. Claude's name is never used in connection with Pentegoet.

justified. And if the criticism were applied to his son, it is at least questionable whether it could be sustained.[1]

[1] Williamson's *Hist. of Maine*, i. 250. Mr. Williamson was also led in to error in regard to the four grants to Claude de La Tour by his authorities. He has confounded him with his son.

ARTICLE IV.

JOHN PEIRCE,

"CLOTHWORKER OF LONDON," AND THE PLYMOUTH PATENT OF 1621.

By JOHN JOHNSTON,

OF MIDDLETOWN, CONN.

Read before the Maine Historical Society, at Bath, February 19, 1874.

JOHN PEIRCE,

"CLOTH-WORKER OF LONDON," AND THE PLYMOUTH PATENT OF JUNE 1, 1621.

THE true relation of John Peirce to the Plymouth Colony of Massachusetts, growing out of the Patent of June 1, 1621, has long been a matter of much doubt and even mystery. By aid of the records, or a part of the records, of the Council for New England, recently published by the American Antiquarian Society, we get considerable light on the subject, but there still remains much that may be classed as mysterious.

Comparatively little is known of Peirce before his connection with this patent, and no satisfactory reason can now be given for the prominence which his name has in the document. It is understood that he was a wealthy merchant of London, and the term "cloth-worker" applied to him may be supposed to indicate the special line of his business. Being a member of the Council of Plymouth, we may believe that he sympathized with the religious movements of the time in England, which led to the establishment of the Plymouth Colony, though this by no means follows as a mat-

ter of course. It may be that his connection with the enterprise was considered by him only as a matter of business, as appears to have been the case with many of the "merchant adventurers," as those were called who supplied the means for fitting out the Mayflower, and for the support of the colony a few of the earlier years of its history.

It is well known that the Mayflower was detained at Plymouth the whole of the winter after her arrival, and did not sail on her return until April 5th, arriving in England May 6th; and it was not until her return that anything could be known of her fate, or the doings of the colonists she had taken out. Then it was first learned that the patent, or charter, obtained of the South Virginia Company would not avail the colony, and that another must be procured. Application being made to the Council of New England, the patent was issued June 1st, — the fact that so little time had elapsed plainly indicating the readiness with which it was granted. It was issued in the name of John Peirce and his Associates, the latter term not indicating the colonists, as has been sometimes supposed, but the "merchant adventurers" who had supplied the funds needed by the colony, whether of the number that actually joined the colony or not.

The patent was sent to New Plymouth by the ship Fortune, which arrived there in November, but no use was ever made of it by the colony; and the coldness with which it was treated indi-

cates the dissatisfaction that was felt in regard to it, in which both the merchant adventurers and the colonists probably participated.

No record has been found of the formal acceptance of the patent either by the merchant adventurers or the colonists, and perhaps such a proceeding was not considered necessary. April 20, 1622, Peirce "granted Letters of Association unto the said Adventurers, whereby he made them jointly interested with him in the Lands granted by the above said Indentures,"[1] meaning by this term the Patent of June 1, 1621.

This, so far as we can see, was a very proper transaction, but it was immediately followed by another, of which the same cannot be said, and, moreover, there is a mystery about it which seems incapable of explanation. The same day, April 20, 1622, after having thus formally interested the merchant adventurers as associates with himself, he proceeded to surrender to the Council of New England the said patent of June 1st, and take instead a "patent or deed poll of the said lands" (lands conveyed by the patent) "to himself, his heirs, associates, and assigns forever." This, it was claimed by his associates, was done without their knowledge or consent, and led finally to the entire separation of Peirce from the company, though this did not actually take place until the spring of 1623.

This "deed poll," thus obtained by Peirce, is

[1] *Records Council for N. Eng., Proceed. Amer. Ant. Soc.*, 1869.

what has been called the second patent, clandestinely procured by him for his own selfish purposes, which gave such serious offence to the friends of the new colony.

What practical effect this "deed poll" would legally produce in the relations of the parties it would require a lawyer to explain, but much would of course depend upon the wording of the instrument. It is sufficient to know that Peirce's associates were thoroughly disgusted with the proceeding, and took measures to bring the whole matter before the Council for New England, whose records preserve for us these interesting facts.

This "deed poll," or patent, is said not to be extant now, and we have no reason to suppose that it was ever brought to this country.

But why should the Council for New England allow themselves to give their sanction to such a fraudulent transaction? This is a part of the mystery that needs explanation.

It has always been understood that Peirce's associates paid him five hundred pounds for his interest in the company, but this is not said in the record of the transaction referred to. The final settlement between Peirce and his associates was effected by adjudication before the Council for New England, but the details need not be repeated here. A part of the language used seems to indicate that Peirce reserved some kind of a residuary interest in the patent, the real nature of which is not plain.[1] Another important transac-

[1] *Proceed. Am. Ant. Soc.*, 1867.

tion of Peirce requires to be noticed in this connection. In the summer of 1622, Peirce, at his own expense, fitted out the ship Paragon, and sent her with sixty-seven passengers, with such supplies as they needed, to New Plymouth; but the weather proved so tempestuous that she was obliged to return after having been out fourteen days. Not discouraged by this misfortune, he again fitted the ship for sea, and took passage in her himself, with more than one hundred other passengers, to join the infant colony of New Plymouth. But the same fate awaited her as on the former voyage; after having made more than half the passage she was obliged to return. She sailed on this voyage December 22d, and returned about the middle of February, 162$\frac{2}{3}$.

Peirce was now entirely discouraged, and declined to make further effort, but by some means another ship, the Anne, was hired for another voyage to New Plymouth, to transport such of the passengers as still desired to go, and sixty actually embarked. This in substance is all we know of the direct connection of John Peirce with the New Plymouth enterprise.

The final settlement between Peirce and his associates took place March 25, 162$\frac{2}{3}$, only a month after the second return of the Paragon, in which Peirce was a passenger.

The patent in question was sent to New Plymouth, probably by Peirce himself, in 1621, and appears to have remained in the custody of the

colony, without attracting any particular attention, for more than a century, but in 1727 it was wanted for some purpose and could not be found. Subsequently the search was several times renewed, but without success, until 1741, when it was brought to light by Perez Bradford, Esq. We are told it was then discovered that it had been "designedly concealed," but we are not informed by whom it was done, nor for what purpose. On these two points more light might be of essential service.

But what claim, or shadow of claim, could these transactions give to John Peirce, or his heirs, to any interest in the lands at Pemaquid, in the State of Maine? Let us inquire further concerning this part of the case.

July 15, 1625, John Brown, formerly of Bristol, England, made his famous purchase of land at Pemaquid, and from several circumstances it seems probable that his family was with him. A daughter of his married Richard Pearce (this was his mode of spelling the name), son of John aforesaid, probably before coming to this country.[1] Considering the relation of Brown and Pearce, it is altogether probable that the two families came to this country together, but no certain evidence of the fact has been found. Nor are we able to determine at what time they came, but we may reasonably suppose that it was some time, perhaps a year or even two years, before the time of Brown's purchase of the Indians, July 15, 1625.

[1] *Hist. of Bristol and Bremen*, 241, 242.

Richard Pearce and wife had a family of nine children, from whom descended a numerous posterity; and some of them, before the middle of the last century, asserted a claim to a proprietary interest in the lands at Pemaquid, by virtue of the aforesaid Patent of 1621. If the claim had been made to lands at New Plymouth, there would have been no difficulty; but how the patent could give any claim to lands two hundred miles distant from that place it is not so easy to understand.

The statement of Mr. Welles on this subject, first published by Mr. Willis in his history of Portland, will be recollected. It was made in 1755, and is to the effect that after Brown's purchase of the Indians, he and his son-in-law, Pearce, agreed to unite their separate and independent titles into one claim to the territory on which they lived without molestation by the Indians more than a hundred years.

How long before 1755 the heirs of Richard Pearce had adopted this mode of representing the transactions referred to, we know not; but long previously some of them had adopted a similar method of explaining and reconciling other apparently irregular transactions of a similar kind.

The writer has treated of this subject at considerable length in his "History of Bristol and Bremen," and given there a possible solution of some of the difficult questions which suggest themselves in regard to the subject; but another the-

ory less creditable to John Peirce may, perhaps, by some be considered more probable.

After the settlement between Peirce and his associates, March 25, 1623, the parties separated with apparent bad feelings on both sides. Now, may it not be that Peirce, immediately after this, influenced in part by his interest in enterprises of the kind, and in part by a feeling of resentment towards his old associates, took occasion to send here his son and family, with his son's father-in-law and family, as the nucleus of a rival colony to that of Plymouth? Under the circumstances, we may suppose they would desire as little publicity as possible to their movements, and therefore concealed from their contemporaries any information of their doings or designs. Thus it came that the history of those times failed to record for us the information we so much desire.

We must of course suppose that Peirce intended, in due time, to assert his right under the patent, or that his heirs should do so after his day, but for a time it was not expedient or necessary. The important fact was of course well known to him, and communicated by him to his children, that the language of the patent does not determine at what place in New England the colony should be located; and, being so general in its terms, would apply just as well in Pemaquid as at New Plymouth.

According to this hypothesis the Browns and Pearces came to Pemaquid about 1623 or 1624;

and may it not be that they were the same persons who had taken possession here, as the Indians informed Levett at Cape Newaggen, late in the autumn of 1623?[1]

We must allow that this hypothesis places rather a low estimate upon the character of John Peirce as a man of integrity; but in view of facts above given are we not justified in doing so?

The patent in question, it is well established, was for a series of years, in the first part of the last century, "designedly concealed," and it must have been for some purpose. What is the explanation? May it not have been, as suggested in the history so often referred to,[2] that all the time of its concealment it was in the possession of some one of Peirce's heirs, who was preserving it for future use, when the time should come for the final settlement of the perplexing Pemaquid claims? This it was then expected would take place at a much earlier date than it did, as no one could then suppose it would be deferred for almost another century.

These suggestions are thrown out for what they may be worth. The subject is one of no little difficulty, which it is feared cannot be entirely removed until more documentary evidence may be brought to light, pertaining to the history of the early times. And it is not at all improbable that such evidence may yet be discovered by further research.

[1] *Hist. Bris. and Bremen*, p. 53.

[2] *Hist. Bris. and Bremen*, p. 54.

ARTICLE V.

THE SHEEPSCOT FARMS.

By ALEXANDER JOHNSTON,

OF WISCASSET, MAINE.

Read before the Maine Historical Society, at Portland, March 14, 1878.

THE SHEEPSCOT FARMS, AND APPROACH FROM THE SEA.

I DO not assume to write a history of the Sheepscot Farms, their earliest settlement by the whites, their very thorough destruction and abandonment, nor of the dim silence which has reigned unbroken and supreme two hundred years over the beautiful spot which was once their cherished home, because abler pens and more profound thinkers have this task in hand, to unravel as they may, if peradventure a clue can be found to the whole matter of their origin and ruin.

First, where are the Sheepscot Farms on the face of the earth, why so called, and what were the reasons which decided these pioneers to build their homes so far from the sea and the succor of their countrymen, in the midst of prowling savages, and beyond every instant help except from their own strong hearts and arms?

A careful inspection of the ruins of their homes, their singular location, and more singular surroundings, with an ever-open channel to the deep water of the Atlantic flowing daily to their very doors, with the endless profusion of fish and game,

easily bartered for all those things they did not possess, and making a home of plenty, not only for themselves but for their less favored comrades scattered elsewhere on this stern and rock-bound coast, may serve to show us why this spot was selected as a place of settlement.

Let us begin then at Seguin (Sut-quin), the notable landmark, the high, bold island which divides the waters of the Sagadahoc and Sheepscot, presenting the same unchanging outline and standing to-day, the same grim sentinel of the sea. From this point we can see all the places named by our early voyagers, and it is nearly the centre of all the operations of the English on the coast of Maine from 1605 to 1630.

Monhegan, the best and longest known of all these places, lies yonder, North 81° East, twenty-two miles distant. Next is Damariscove, the headquarters of shipping and trade in those earliest days, North 72° East, eight and a half miles distant; and over Damariscove, North 68° East, are the Georges, eighteen miles farther. Pemaquid, New England's earliest hub and centre, North 60° East, sixteen miles, is just inside the line of Damariscove, which is about half-way thither. Cape Newaggen, North 23° East, eight miles distant, with its tiny harbor, is the eastern portal of the Sheepscot River. Cape Elizabeth and Richmond Island lie South 65° West, twenty-two and twenty-four miles off; Cape Small Point, South 84° West, four miles. Pond Island and Fort Popham are

nearly North 31° West, three and four miles distant; and North 32° East six miles is Griffith's Head, the western portal of the Sheepscot, which is three miles wide across its entrance. The soundings over all this ground are deep, twenty to thirty fathoms, and very deep water extends all the way to Wiscasset wharves, and it is never frozen or obstructed with ice to within a single mile of the Custom-House at that port.

Sailing up this broad, deep river, North 14° East, with rugged, shattered rolls of granite on either hand, with Eb-nee-cook, Indian town, Sawyer's and Barter's Islands on our right, and Georgetown (ancient Sagadahoc Island), the Sasanoa, and Westport on our left, we come to the Cross River, a branch of the Sheepscot, ten miles above Cape Newaggen, up which the tide flows easterly through Oven's Mouth on the right, and then turns down south to Adam's Pond, in the centre of the town of Boothbay. This Oven's Mouth, very deep and narrow, is one of the points mentioned in the Indian deeds of land on the eastern side of Sheepscot.

Resuming our voyage up the river with Edgecomb on our right, and Westport — anciently Squam Island — on our left, through the strong walls and beetling cliffs of austere granite, we come, in five miles, to Decker's Narrows, where the whole river bending square around to the west carries ten and twelve fathoms, close by the walls of the fort (old Fort Edgecomb) on our right,

through into Wiscasset Bay, perhaps half a mile. We linger a moment on the bosom of this beautiful bay and scan the fairy outline of its retiring highlands around the entire horizon. The bold river we have passed has utterly disappeared, and instead we have its placid parallel, flowing straight and opposite, to the Indian Sasanoa and Arrowsic below, the route of Champlain, the first white voyager (1605, July 5th and 6th) who ever[1] passed these shining waters with his dusky guides, two and three quarters centuries ago.

Turning again to the right, with the pretty town on our left, we pursue our course northeasterly to the railroad bridge at Flying Point, two miles farther. The centre pier of this bridge is in fifty feet of water at low tide; the largest ship in the world can float safely here. Passing the draw, and over the swift current of the crescent narrows, with Flying Point on our right, we have Kane's Point on our left, a half mile farther up. Nestled among the crags, high up the bank, eighty feet above the river, was the home of Kane, one of the old settlers of the times; the very ancient wall that inclosed his little garden is readily found and recognized, in which, through the sod to this day, grows his wife's narcissus, the old "Daffy-down-dilly" of England. We pass on, with a broad, beautiful bay on our right, to Jackson's

[1] It is supposed George Waymouth, in the Archangel, passed from Boothbay Harbor to the Kennebec by a part of the same waterway, some three weeks before Champlain. — R. K. S.

Landing on our left, which was the terminus of the scout path coming from Chewonki, Montseag, Hammond's Garrison, and Arrowsic at the southwest. Here is the end of the deep water and the Bay of the Sheepscot Farms. The river flows on, but with tortuous channel, a mile and a half farther to the tide falls on the right, with Sheepscot Neck and Alna on the left, the ground rising abruptly from the river, a long and rocky ridge from one to two hundred feet high. The opposite eastern bank seldom rises more than thirty feet, and no ledge appears except at the tide level. This is the western front of the Sheepscot Farms.

From Jackson's Landing, following the channel of the river, we steer due east across the bay and straight to the southwest corner of the neck, over the line of the old ferry, and land at the ancient Stone Wharf, used as a landing more than two centuries ago. The ice blocks of many years have destroyed the wharf, and scattered its ruins on either hand, but eighty years since its outline was distinctly visible. On our right front, on the eastern side of the bay, are the burnt islands of Mason's deed from Robinhood, of 1652, three in number, — Wier's, Leeman's, and Cunningham's; the first two small, the last a large farm of two hundred acres or more. The Sheepscot here sends off a branch between these islands — the Nichols River (anciently Che-va-co-bet), with triple mouths, flowing easterly about eighty rods — and

then uniting in one stream, bends northeast and flows on three quarters of a mile farther, inclosing between it and the main river the beautiful grounds and peninsula called Sheepscot Farms. A long cove prolongs this distance northeasterly a fourth of a mile farther, at the head of which is the old saw-pit, where it is thought Sir William Phips built the ship in which "he brought off the people," as Cotton Mather relates, when their homes were burned and utterly destroyed. At the foot of this cove the river turns again abruptly to the east half a mile, thence south a mile and a half down by Woodbridge's Point on the left, thence east a quarter of a mile, thence northerly again by the same point a mile and a half to the entrance of the "Cavesisix River," a fresh-water stream which comes down nine miles from a pond in Jefferson.

The Nichols throws off a branch to the east at the junction of the Cavesisix, also another and larger at the south end of Woodbridge's Point, each of which winds easterly and sluggishly through salt marshes of great extent, certainly five hundred acres. About one hundred rods up the Cavesisix is the site of the "old mill" which ground the corn for the settlers, and its very strong, double-walled dam still remains whole on either end. It was one and a half miles east of the Farms, and approached over the "Cart Path" of Walter Phillips of 1664.

Returning as we came, with the marshes now

on our left, and the upland on our right, we come again to Phips's Cove. From this cove, where many vessels have been built, down around the peninsula out to the main river, the ground on our right slopes from the green margin very gently up to the ancient street, so that heavy teams pass up almost everywhere. On the main river a steep bank, twenty to thirty feet high the whole distance, renders it inaccessible for teams or cattle.

At the Falls, the Sheepscot turns square to the east, having forced through, at some time, a passage in a narrow neck of light, gravelly soil down to the ledge underlying, over which the waters fall abruptly ten feet at low tide. Twenty rods above the Falls the river resumes its old course, N. N. E., and passes on to Alna village, five miles farther up. After passing the Falls ten rods, the river throws off to the south a long, wide, shallow cove down into the peninsula; and a continuation of low, flat meadow, still farther prolonged, divides the neck more than half the distance, making the western prong a cape of high ground, abruptly stopping at the very fall and overlooking the same. The eastern side is the site of the most ancient settlement without a doubt.

Sheepscot Bridge crosses the river, east and west, one fourth of a mile above the Falls, three rods only below the mouth of Dyer's River, which is the third and last branch of the Sheepscot. Dyer's River, fed by many large ponds, comes

down from Somerville, sixteen miles, and making a sudden sweep to the west, joins the Sheepscot as before named. The last five miles of its course, nearly parallel, but approaching the Sheepscot, incloses, between the two rivers, another splendid tongue of land of a thousand acres. A few rods of very low and level land alone divide the waters of the Dyer and Phips's Cove, and over this low, flat isthmus lay the only approach to the Sheepscot Farms below.

Let us take our stand now upon the high, green knoll on Dyer's Neck, a short half mile from its southern point, the site of the home of Dyer and his stockade shelter, and look down upon the place of the "lost city" and its charming surroundings. On the right we have the steep, rough, rocky ridge of land, rising sharply from the west bank of the Sheepscot, two hundred feet high or more, extending from the waters of Wiscasset Bay well up to Alna village. The old road passes nearly the entire length of the crest of this ridge, affording a grand outlook to the east, over the whole great basin, in the lap of which reposed the ancient Farms with their timber[1] houses. On the left is another similar ridge of equal altitude, stretching from Woodbridge Point below far away to the north and east many miles, — the eastern bulwark of the Dyer River valley to its source. Beyond this goes up the Cavesisix, of many memo-

[1] Stone remains of ancient buildings are found. John Mason's house is thought to have been of stone. — R. K. S.

ries, the frozen and only highway for many years to and through the heavy timbered and tangled wilderness through which it flowed down to the miller's wheel below. Two miles farther to the east is yet another mighty roll of granite, sixteen miles in unbroken length, from Boothbay Harbor to Damariscotta Mills, the enduring spine[1] that divides the waters of the Sheepscot and Damariscotta, and the barrier on the east of the Nichols River with its "great solt marshe" of the Indian deeds. Beyond the Farms to the south, and in the centre of the picture, begin the twin ridges of Edgecomb, rising abruptly from the shores of the Nichols, with fertile valleys between and on either side, and running parallel and southerly seven miles to the Oven's Mouth and the Cross River.

THE SHEEPSCOT WATERS.

The tide line of this great basin is more than twenty miles in outline, and within were gathered all things in great profusion calculated to "keep the wolf from the door." Countless thousands of beaver once had here their ponds, and huts, and homes. Their surprising labors in the remains of dams on these marshes and on the margins of all these rivers, streams, and ponds, everywhere easily found, are yet distinctly visible and readily mapped with compass and chain. The dark, shin-

[1] Now called "Mount Cornwall." — R. K. S.

ing otter, the ubiquitous mink and musquash, divided the empire of the waters, salt and fresh, everywhere. Every kind of fish known now to exist in our streams, salmon, bass, shad, trout, perch, eels, herring, alewives, smelts, and plaice, each in their season, summer and winter, with the renowned oyster and humble clam, were here in myriads close at hand. The cod, hake, pollock, and menhaden of the coast made frequent visits here, as they do even now, from year to year. The seal abounds on this river to this day, and hundreds bask in the sunshine on half-tide ledges every summer, and bark all night, as everybody knows who dwells here. Last, but by no means least, comes the great whale from the sea, chasing up the myriad shoals of herring and menhaden, even to the very doors of the dwellers at the Farms. Twice in my lifetime have I seen this singular sight, and each time our ponderous visitor remained, often visible to all our people, several days. The Wawenocks were a "brave people, fearing nothing," and I never doubted that they could strand and capture a whale. Civilization, with its steam, sawdust, sewage, bridges, and dams, has well-nigh done the business, and we begin to gape, even now, over the daily experiences of our grandfathers. The marshes were the great rendezvous for wild geese, brant, wild[1] ducks, teal, and all other birds of that class. The dense forests of oak, beech, and pine were full of

[1] Sheepscot, from Indian sipsa-auk, duck-waters. — S. P.

game of all sorts, bird and beast, wild and gentle; and no lack of any natural or desirable food existed in the days of the Farms, but bread alone, and we shall soon see that they had, or ought to have had, enough and to spare of golden corn, the king of cereals and staff of life indeed. We nowhere read of want of food, raiment, or shelter. They wanted nothing they did not have, and plenty surrounded them, running over, of all things wherewith to live.

We have come up hither from the sea, eighteen miles, step by step, as they came, searching out the land for its fatness, and where in New England is the mate to the place they found? Speak, you who know, where? We have navigated the surrounding waters, and stood upon the many rugged hill-tops and looked down upon their ancient homes, each time with always renewed delight at the ever-changing, ever-charming prospect.

SITE OF THE RUINS.

Again resuming our line of travel, let us land at the Old Stone Wharf, the easterly end of the Ferry. Ascending the low bank we stand at once in the southwesterly corner of a large field, about sixty rods wide east and west on the river margin, and sloping gently up northerly to the residence[1] of Captain William Chase, fifty rods distant, nearly in the centre on the north side, and thirty feet

[1] Anciently Thomas Gent's. — R. K. S.

above the tide level, the only occupant now of this once large town. The first small cellar is close on the left, and the beautiful lawn is before us with its green grass and plots of splendid corn, and circling fringe of thrifty trees around the river banks, sheltering all within from the rude blasts of the west, south, and east, on three sides surrounding. We pass on northeasterly towards the house and over the ground called the "Old Orchard," whose cherry-trees, well known sixty years ago, survive to this day through their seedlings, the old "Black Heart" of Europe. A third the way up, and twelve rods on our left, we pass a very large cellar, two rods square in outline, nearly filled, but well defined, by grass, rank and green. South of this a few rods is another, nearly as large but not so well outlined. On our right about fifteen rods is "Spring Well Cove," at the head of which is a constant flowing stream boiling out of a little well made for it. It is well known to all passing seamen, and no one ever knew it to be dry or cease to run. Three rods east of this spring is a small cellar fifteen feet square, out of which came the silver ladle, or spoon, some years ago, which is now in possession of R. K. Sewall, Esq., of Wiscasset. Ten rods northeast of the spring, on a small plateau, is the site of a large trading-post, with its heavy stone floor, but ten inches below the surface, exhumed some years since by the brothers Chase, where was found the stone,[1] bearing cut

[1] This stone is cylindrical, size of a barrel, one side inscribed with

figures and inscriptions, now in the cellar wall of the house near by, then being built. A great many relics which fire could not destroy were also found here: copper coins, and the old Dutch pipes of two and a half centuries ago, a large lot of them together; long ranges of broken crockery, pottery, fused glass, and masses of iron and rust, showing conclusively that it was a store and not a dwelling-house which stood there. No cellar was there, only a heavy stone floor, carefully laid and strongly jointed, so much so that it was supposed to be a flat, smooth ledge for years, and it required a heavy team and much labor to break it out. The size of this floor was not ascertained then, but Mr. Elbridge Chase tells me that it was "thrice as large as the one this year uncovered" farther up the neck, of which, more anon. Fifteen rods south of the trading-post, on the river brink, is the ancient landing, a natural wharf of granite, with deep water at low tide. Southwest a few rods is Bass Rock, on either side of which the tide rushes in many a swift whirl up the Nichols River, the eastern boundary of the neck, and the old town we have come to see. Below, southwest fifty rods, are the Woodbridge Narrows, the entrance of the Nichols River, between two islands, Leeman's and Wier's. On goes the headlong tide to lose itself in the great marshes of the east; a safe and land-locked highway in the

an arrow of large size carved into the surface, and a bow. — R. K. S.

summer, a smooth, hard road in the winter, to every nook and corner of the great basin beyond.

But we resume our walk through the orchard, and stop shortly at the present terminus of the "King's Highway," the oldest road in Maine still open to public travel. We are standing in a cross street three rods wide, running east and west, as the ground plainly indicates. The gate is before us. On our left, close at hand, is the home of Captain Chase; on our right, at our elbow, the cellar of Christopher Woodbridge, — "Kit," as he was called, — who dwelt here in a log-house, in right of his wife, who was Tappan's[1] daughter, who once owned it all.

We open the gate and pass on. The silent street spreads out before us. Yonder is the church spire, white and tall, North 19° East, one and a half miles distant. Every step of this long, level line, the "King's Highway," once had houses on either side, pretty gardens, and wavy grain or maize, — a king's highway indeed.

On our left, four rods north of Captain Chase's house, on the crest of a swelling knoll, is a very large cellar two rods square, now nearly filled with stone and rubbish, thought to have been the home of Thomas Gent, who lived at the southern end of the peninsula, — a very beautiful spot, and at the head of the orchard lawn aforesaid. This cellar has never been opened, and no one knows what is buried there. It had a large gateway

[1] Rev. Christopher Tappan, of Newburyport. — R. K. S.

once on its eastern side, broken down now and filled up level. What was it for? No one can answer. I think it was no dwelling, but a timber fortress or block-house, with stockade around below its own level. It stood on the very crest, commanding all things on all sides, — the channel of each river most thoroughly, — against which there could be no advance by water, except "stern on." It was a mile and a quarter below Fort Anne and Garrison Hill, and the only good place wherefrom to defend the southern end of the peninsula. But for all that, Thomas Gent may have dwelt there, as each house was a fort in those days. Four rods farther on, and two rods to the left, is another cellar, quite as large in outline but not so prominent, and never examined. Twelve rods onward, and ten on the left, is the High Bog about six rods in diameter, with its slight outlet to the western river bank. A light-colored clay, resembling stone-ware potter's clay, is brought up by the auger from a depth of ten feet. It is ever filled to the brim with black mud and water, and for this last the cattle have no other source of supply. On our right is the "Garden," extending east down to the river thirty rods, and along its banks an equal distance, bearing a thrifty growth of young hard wood. The soil is black, porous, deep, very rich, and filled with earth-worms to the very top of its leafy covering, never wet but always moist, of easy access, and some six acres in extent. No cellars are found

here, but many corn hills were visible sixty years ago, hence the name "Garden." Another ancient landing on the river front is shown, about in the centre line of the garden, with deep water and clear of the strong current. Eighteen rods farther on we come to the end of the timber growth, and find a small, deep cellar six rods on our right, just in the edge of the woods. The highway probably passed nearer to this cellar once, going straight down to the trading-post. On our left, eighteen rods, is a singular and perfectly circular little bog, called "Spring Pond Bog," strongly resembling an artificial reservoir, with its inside diameter twenty feet only, and its outside diameter about forty feet, the space between being filled up solid with many small stones, up through which grows a ring of bushes and alders. It is filled with black mud, and water, except in a drouth; never runs over, nor has any outlet, and none know of the water whence it comes or whither it goes; and it is very considerably higher than the bog first named. Still standing here at the corner of the wood, and looking west over the reservoir about twelve rods, we see a large cellar, two rods square, nearly filled. A few rods farther still is another less distinct of the same size. About four rods northerly of this line, and ranged along parallel to it, several large cellars have been filled and nearly obliterated. A three-rod street once passed west between these remains to many small cellars now plainly visible

on the bank of the Sheepscot, in thick bushes and tangled undergrowth. Moving on again eighteen rods we have a well (?) filled with large stones, on our left. Thirty rods farther, close to the road, is a large cellar, searched by money diggers many years ago; and close to this on the north are seven pits, one in the middle with six around it. What were they for? Six rods farther, and five rods on the right, is another large cellar, but a short distance from the river curving in here. Descending the slight hill twenty rods we pass through the gate, the northern limit of the Chase property. The pine bushes here close in on either hand to the wheel track. Three rods onward, and as many to the right, in thick bushes, is a medium cellar. Exactly opposite, to the west, and thirty rods distant from the highway, near the southerly end of the long meadow, is a large cellar, with many others on the same course out to the bank of the Sheepscot, and a cross street is indicated on this line from river to river. Twelve rods onward, and three on our left, we have a large L shaped cellar, showing stone underpinning and much débris buried in trees and grass, and now being exhumed and examined. Correct measures cannot be got until the whole area is cleared of the unusual mass of rubbish, — mostly composed of large bricks, — and the trees with their roots are thoroughly drawn out and cleared away. It seems to have been placed against a bank on the west, into which the whole

of the L has been thrust, with a portion of the main building; which last must have been thirty feet long and twenty feet wide at least, fronting the highway, with the L joining its northerly end and flush with it. It was, no doubt, two stories high in front and one in rear over a cellar. For many years nothing but a general outline was visible. A very dark, slate-colored patch of apparent ledge, with a "crackled" surface, lay here, buried in trees, covered with moss, silent and gray. Some years ago fragments of this patch were carried away, their weight, reddish hue, and lustre suggesting ore of some sort, possibly copper. Nearly all has been removed, except a few pieces secured by Mr. Elbridge Chase for inspection, a fine specimen of which I have, and have yet to thank him for. It is a mass of melted bricks and nothing else, so thoroughly liquefied that all trace of shape or material has disappeared. What are we to think of the intense heat of an oak-timber house with timber floors and roof in flames? I never yet saw the like result from our hottest modern fires. The semi-fused bricks of the kiln arches do not resemble this. Plenty of these last underlie the top covering, and then come bricks perfect to lay to-day. My samples are nine inches long, four and a half wide, and two and a quarter thick, and weigh five and a half to six and a quarter pounds. Their color is light red, they do not ring like our bricks, and were never made in Maine. The tangled mass of roots renders excavation slow and expensive.

Under the direction of Dr. W. L. Hall, a substantial stone floor has been laid bare, nearly two feet below the débris, and about sixteen feet long by seven feet wide. The stones are good "flag," nicely jointed, laid solid and water-tight in blue clay brought from elsewhere. The floor lies north and south through the middle of the cellar, apparently, with a low stone wall a foot high bounding it on the front (east); on the north the underpinning of the house two feet high, faced up inside with the great bricks, nicely laid and well jointed "end to;" on the west by a wall of stone and brick intermingled, also two feet high; on the south it has not been definitely ascertained, but a wall of stone is visible under the tree roots, which are very troublesome. Many relics were found on this small area by the doctor and his assistants: fragments of fused glass, plain and finely iridescent; bits of porcelain, crockery, potter's ware, a house key, spoons, fragments of charred oak nicely preserved; all sorts of iron tool remains, some of which no man can name, with many indescribable bits of one knows not what, and the work yet is hardly begun. The head or south end of the low meadow is directly in rear of this cellar, ten rods distant, west; and all the land between the two rivers, and south of this east and west line, is arable and of excellent quality for any and every farming purpose. It contains sixteen thousand and two hundred rods, — a little more than a hundred acres.

But we leave this interesting spot and pass on. Three rods farther, and four to the right, is a large cellar concealed in the pine growth, about three rods from a small cove at the east. Ten rods bring us to the lowest point of the road, about four feet above high tide level. Just here on the left is the low passage to the meadow, perhaps six rods wide and twelve in length, joining the marshy flat on our right, and extending six rods to the east, where it joins "Brick-Yard Cove." A few feet rise of the waters of the Sheepscot above the Falls would bring it again down over the great meadow, and out through here to the Nichols River. There are many reasons for believing that once an outlet existed here. On our right, eight rods, is the head of the cove, coming up from the south, and on its margin is a small pit as large as a small cellar, purpose unknown. At the head of the cove, on the upland, is a large cellar. On the east of the cove is Brick-Yard Point, the site of the "Ancient Brick-Yard." The drying floor was on the cove side (west); the small, detached kilns are found in the bushes on the east side, together with the "landing." I found a single whole brick only, dark cherry red, seven inches long, three and one half wide, one and five eighths thick, and weighing but three pounds three ounces, — the smallest I have ever seen. No bricks have been made here in the memory of man, and tradition is silent. Six rods on, and five to the left, is an old "reservoir,"

filled with stones, bushes, and water, some eight feet in diameter, intended doubtless for the brick-yard aforesaid. Rising now the gentle ascent, in six rods forward and eight to the left are the twin cellars, but ten feet apart, heavy mounds in front, filled with small trees. Twenty rods farther we pass on our right, close to the road, another very prominent cellar, filled also with small trees. Thirty-five rods bring us to the top of the slope, and to two large cellars on the left, one of which is covered by the house of Arbor Cargill, who owned all the land adjacent. The house is tenantless now. A beautiful field sloping to the south and east is in front of Cargill's. He filled three large cellars there on the river bank, and two at the north side, years ago, so that they are obliterated, but were well known fifty years since. Passing two large cellars on our right, close to the road, filled also by Cargill, and nearly rubbed out, we come, in twenty-two rods, to a large cellar on the left three rods; and three rods farther, adjoining this, is the floor of the "Smith Shop," so well described by Rev. Mr. Cushman in 1855. Opposite this, and close to the road, is a large cellar now covered by a house, also without tenant. Next north a few rods is another of the same size, nearly filled but plainly visible. Due west of this cluster, fifteen rods in the field, are the remains of a building supposed to have been a factory of some sort. It appears to be a cellar more than filled, heaped up with stones and rub-

bish, and containing within and around it lumps of dark-yellow earth or mineral resembling ochre, but not so solid as a pale brick. At each corner, on the west, it has large pits or small cellars below its own level, as the ground falls fast, down to the meadow. We return and go on. Fifteen rods farther, and thirty to the west, is the head of the Sheepscot Cove, or "Neck Cove," and the foot of the meadow. At this point are the remains of an old "causeway," across which ran a cross street leading around to the northern point of the headland overlooking the southern end of the Falls. Five rods farther to a large cellar on the right, five more to another on the left, six more to another on the right, all very prominent and filled with bushes and some cut stumps of old trees. Southeast from this last, thirty-four rods, at the river bank, is the place where the oak plank and sawdust of an ancient saw-pit were found by Cargill, in laying an aqueduct along the low bank to his brick-yard. The salt mud had prevented decay. It is thought to be "Phips's Saw-pit," as there is no solution otherwise. It is *not* the place where succeeding builders sawed their plank. A few rods north, close to the bank, is a large, deep cellar. Three others bear North 10° West, located on the edge of the north bank of the "aqueduct spring" run. Northeast of these, twenty rods, is another large cellar. Many others in this pretty lawn have been filled and lost.

We return now to the King's Highway. The

road slopes gently up north to "Fort Anne." Starting anew thitherward we come in thirty rods to the old barn-yard where the elder Cargill uncovered the first "stone floor," described by Cushman. Across the road to the west are remains of cellars and buildings, now, a third time, gone to decay. Fifteen rods carry us along to "Walter Phillips's Cart Path," from Fort Anne to the banks of Damariscotta River, his home; it was four miles long, passed the Cavesisix Mill, skirted the great salt marsh, and is travelled to this day, the oldest road for vehicles between two towns that I know of in Maine. In the northeast angle of the junction of this road with the "highway" is the cellar of John Mason, in whose house the government of the Duke of York was set up and organized in 1665. Said "Walter Phillips, Recorder:" —

"Mason lived a few rods south of the fort," and in these few rods (eight) we are there.

We stand now upon the crown of a hill of gentle slope in every direction, at the gates of the beautiful cemetery which covers the ascent from the waters of the Sheepscot on the west; and among the white tablets of marble mingled with the rough, moss-grown headstones of granite, we pause on the site of Fort Anne. On the west are the Falls; on the east, Garrison Hill; on the north was the home of Christopher Dyer; on the south, the long line of the King's Highway, over which we have come up hither. The necessary grading of the cemetery has obliterated many of

the ancient marks of military occupancy, which, eighty years ago, were distinct and undeniable. The remains of a trench four or five rods long, seven feet wide, and five feet deep, cut parallel with the highway and two rods from it, are now to be seen, the northerly end having been filled for cemetery lots by persons yet living. On the east of the northerly end of this trench, and adjoining, is a brick arch, buried up in grading years ago. It was about four feet in width, length unknown, and was never known as, or called, a tomb. It is there now, and what it was is still unknown. It may have been a magazine under the fort, with this covered way leading to it. Whatever it may be, it should be exhumed. The fort was undoubtedly of heavy, squared timber, inclosed in stockade, the outline of which is distinctly visible on the north; probably an acre or more was thus inclosed, and upon a lower level than the fort, which stood forty-five feet above tide water. Fragments of brick, pottery, crockery, glass, and iron-rust in masses, are often found upon and around this summit. It commanded every inch of approach to the neck below, and there was not the slightest shelter to any attacking foe, even the most trivial. It swept all things close to the ground. It was probably the only fort of the first occupancy of these Farms at the north end, and could defend and cover all its population of that early day.

We pass on now seventy-five rods, over a fine

street with many fine dwellings and the white-spired church on our right, and on our left two very large cellars at some distance in the field, now nearly filled up. No doubt there were many others on either side a century ago. We stop at the road from Sheepscot Bridge to Damariscotta, lacking ten rods more to Dyer's Riverbend. These ten rods make up four hundred and eighty rods, exactly one and one half miles, very nearly straight, from the bend to the "Ancient Landing" below, and a few feet less to the "Ancient Wharf" and Ferry. It contains ninety acres, north and east of the meadow lines.

Garrison Hill bears east by north fifty-four rods from Fort Anne, but does not belong properly to the "Neck." It rises abruptly from the low, flat land on the west, being steep and rough of ascent on that side, moderate and easy on all other sides; it is seventy feet above tide level. The stockade and garrison on its summit, where the church and school-house now stand, were, doubtless, more extensive than those of Fort Anne, as the outline remains clearly indicate. The two combined could shelter all of the second occupancy of the Farms with their cattle, and together must have been "formidable dogs at the portal." The name "Garrison Hill" is the only one known for it these two centuries, and no one doubts its significance. It has stockade lines of great extent, and many pits and depressions, with stone-work, for uses unnamed and unknown. Its "range" was from

Dyer's Bend to Phips's Cove, and all around Fort Anne to Sheepscot River. On the east, too, it swept all things, and north and south as well.

Resuming our staff we pass down south from the Garrison and thence by the "Cart Path" into the "highway," and over the meadow causeway, around to the bluffhead at the southerly end of the Falls. It is a small, circular plateau, fifty feet in diameter, flat, and elevated twenty-five feet above the water at the Falls. It has an artificial look, with steep banks on three sides, but it hardly required defence at this point, for the fall rendered it impassable as a line of attack, except a few minutes at slack tide. Proceeding down by the bank of the Sheepscot southerly, we pass through a multitude of cellars, in one of which is the tree stump cut by Captain Chase in 1817. At least twenty cellars are counted at this upper end. As we pass on through the bushes and undergrowth we constantly find cellars, square and well defined, but smaller than those of the eastern side. Arriving at the cross street at the reservoir, west end, a mile below, we find the cellars again in clusters as before, but in very tangled undergrowth and hard to keep account of. Fifty rods farther and we emerge upon the orchard lawn first named. We have counted more than forty of these cellars on this west side, or eighty odd on the whole peninsula. The area of land north and west of the meadow line is sixty-two acres, or two hundred and fifty-two acres of best arable land in

the peninsula. The meadow measures twenty-two acres additional, making the entire area two hundred and seventy-four acres. Suppose we allow a strip of land one and a half miles long and twelve rods wide, thirty-six acres, for streets, houses, and small gardens, we have two hundred and eighteen acres for bread alone. With forty-five bushels of corn to the acre we have a harvest of 9,810 bushels, or its equivalent value in other grains; nearly four times as much as their own people required. The islands, two hundred and fifty acres, they burnt over, and there they kept their cattle and sheep. Is it anything strange that these lands were known as the "Sheepscot[1] Farms"? Were not they who dwelt here some of the people who "had settled in places agreeable to their desires?"

Space forbids further detail of their handy access to the sea over routes by land dotted with the cellars of these unknown people, as well as many similar, silent evidences of a *peopled suburb* thereunto pertaining. They dwelt here once in peace and plenty, and anon faded strangely and silently away.

[1] Called "Garden of the East," 1676.

ARTICLE VI.

WILLIAM HUTCHINGS,

THE LAST SURVIVING REVOLUTIONARY PENSIONER IN NEW ENGLAND.

By JOSEPH WILLIAMSON,

OF BELFAST, MAINE.

Read before the Maine Historical Society, at Bath, February 19, 1874.

WILLIAM HUTCHINGS,

THE LAST REVOLUTIONARY PENSIONER IN NEW ENGLAND, AND THE LAST BUT ONE UPON THE ROLLS.

A PERSON who has outlived all contemporaries of the same generation is by that reason alone distinguished. But when his life has been protracted beyond the measure of a century, and, with a single exception, he stands the last survivor of those who participated in the successful struggle of a great nation for independence, he becomes a subject of peculiar interest.

William Hutchings, a native and always a resident of Maine, whose death occurred on the second day of May, 1866, at the age of one hundred and one years, six months, and twenty-six days, was born at York, October 6, 1764. Lemuel Cook, of Clarendon, New York, the last Revolutionary pensioner, survived him only eighteen days, having died on the twentieth day of May, 1866, aged one hundred and two years.[1] Charles Hutchings, the father of William, was also a native of York, and lived to the advanced age of ninety-one. When his son was four years old, the family removed to Penobscot, then called Plantation No. 3,

[1] See *Record*, vol. ii. 357.

and subsequently included in the town of Castine. Here, on the same farm which his descendants now occupy, the subject of this sketch continued to reside, with the exception of a short interval, during the remainder of his life. Dwelling in sight of Bagaduce, he witnessed all the events connected with the siege of that famous locality, during the summer of 1779. When the surrounding inhabitants were compelled by the British to assist in constructing the fortifications, he was among them, and aided in dragging to the heights of the peninsula the first stick of timber which was used in the principal bastion of Fort George. After the destruction of the American fleet, his father, who refused to take the oath of allegiance to Great Britain, was obliged to abandon his property, and escape to a place of safety. He found refuge in the town of Newcastle, where he remained until the war terminated. While residing there, he permitted his son, then but fifteen years of age, but a man in size, to enter the service of the United States. The declaration of the latter, on file in the Pension Department in Washington, made for the purpose of obtaining a pension, states that he enlisted in a regiment of Massachusetts militia, commanded by Colonel Samuel McCobb, in the company of Captain Benjamin Lemont; that he was mustered in at Newcastle, in the spring of 1780 or 1781, as a volunteer for six months, and served a little more than that term, being discharged about Christmas of the same

year. That he joined the regiment at a place called Cox's Head, at the mouth of the Kennebec River, where he was stationed during the whole time of his service, and was there discharged; that he was born in York, in the year 1764, and that he has no written discharge. This declaration is dated September 26, 1832, when he was sixty-eight years old, and is supported by the affidavit of his father. The Rev. William Mason, of Castine, a respected clergyman, is referred to as a neighbor who could testify to the good character of the applicant. Upon this evidence, an annual pension of twenty-one dollars and sixty-six cents was granted; the highest amount then allowed to full-pay privates being only one hundred dollars. Subsequent acts of Congress increased this pittance. In 1865, an annual gratuity of three hundred dollars was voted to each of the five Revolutionary soldiers supposed to be living. Only four of the number survived to receive this special recognition of their patriotic services. Two of these died within the year, leaving Lemuel Cook, before mentioned, and William Hutchings.

At the close of the Revolution, Mr. Hutchings returned to Penobscot, and remained there until his death. Farming and lumbering constituted his principal occupation, although for a time he commanded a coasting vessel. The last vocation conferred the title of captain, which many supposed to be derived from his military career. During a period of nearly the allotted age of man

he was a devout member of the Methodist Episcopal Church. For many years before the close of his life he advocated and professed total abstinence from all intoxicating drinks. He lived to see three generations of his posterity occupy positions of honor and esteem. Eliakim Hutchings, his son, was a soldier in the War of 1812, and participated in several battles. A grandson, by the same name, served faithfully for three years of the recent Rebellion, being wounded before Richmond, and several of his great-grandsons were volunteers in Maine regiments. At the commencement of our civil conflict, Mr. Hutchings took a decided stand in favor of maintaining at all hazard the supremacy of the Union. It was his earnest wish that he might be spared to see the complete restoration of peace, and that wish was granted.

In 1865, when over one hundred years old, he accepted an invitation from the municipal authorities of Bangor to join in the celebration of the Fourth of July in that city. A revenue cutter was detailed for his conveyance, and as he passed up the Penobscot River the guns of Fort Knox fired a salute of welcome. The ovation which was bestowed on the occasion exceeded that ever before given to any person in the State. Multitudes rushed to catch a glimpse of the old man, and the sincere and grateful plaudits which constantly greeted him, as, surrounded by a guard of honor, he was escorted through the streets, con-

stituted a marked feature of the day. His strength and power of endurance under the excitement were remarkable. At the close of the oration, which was delivered by Senator Hamlin, he responded at some length to a toast. "My friends told me," he said, "that the effort to be here might cause my death, but I thought I could never die any better than by celebrating the glorious Fourth."

The mental faculties of Mr. Hutchings were retained up to and during his final sickness, which was of short duration. On Sunday, April 29, 1866, signs of dissolution became manifest, and on the following Thursday noon, in full consciousness of his approaching end, —

> "Like a clock worn out with eating time,
> The wheels of weary life at last stood still."

Funeral services took place on Monday, May 7th, from the homestead in Penobscot, and were attended by a large concourse of people. Of his descendants, who are counted by hundreds and comprise five generations, many were present. Mr. Hutchings had selected a text for the occasion from Matthew xxii. 40, "On these two commandments hang all the law and the prophets," from which the Rev. Mr. Plummer, the pastor of the Methodist Church, preached an appropriate discourse.

Following the sermon, a brief address was made by the Rev. Alfred E. Ives, of Castine. "The first thought which suggests itself," he remarked, "is

this, that the last link that connects us with the distant past has been sundered. In previous years, but less frequently as time has run on, we have met the old soldiers of the Revolution. Of late, William Hutchings has been the only representative in New England of that honored band. His were the only living lips that could tell us, from what they personally knew, of those times which tried men's souls. He alone remained of the men who heard the whistle of the bullet on those battle-fields. And now those lips are sealed; that witness is dead. For the future, we can learn the facts of those times only as recorded in history; no more, as told in narrative. He was an old man when most of us were born. His life goes far back into the past. When he was a child the man was still living who had conversed with the survivors of the Mayflower. When he was a child the man was living who had heard the soldiers of Oliver Cromwell rehearse the story of his battles. Nineteen such lives will take us back to the time when the form of the Son of God was seen on earth.

"He was thirty-six years old when Washington died. He had passed the meridian of life when Napoleon assumed the crown as Emperor of France. The French Revolution, the successive changes which have since passed over that country, over Europe, and the Continent, have transpired as if under his eye. In his early life, he might have heard Whitefield preach. He had

nearly reached adult age when Wesley, whose name he loved, was in his prime." [1]

One of the last requests of Mr. Hutchings was that the American flag should cover his remains, and be unfurled at his burial. This was done, and in the stillness of a bright spring afternoon, in the midst of an assembled multitude, upon the farm which for nearly a century had been his home, all that was mortal of the old hero was committed to the dust, while the Stars and Stripes he had so long honored floated above his grave.

[1] Bangor *Whig and Courier.*

ARTICLE VII.

GENERAL JOHN CHANDLER.

OF MONMOUTH, MAINE,

WITH EXTRACTS FROM HIS AUTOBIOGRAPHY.

By GEORGE FOSTER TALBOT.

Read before the Maine Historical Society, Portland, May 25, 1881.

GENERAL JOHN CHANDLER.

Among the persons prominent in the establishment of the political independence and civil institutions of Maine, few are more worthy of commemoration by this Society, whose office it is to collect, publish, and preserve the records and traditions of the history of our State, than General John Chandler, who, with his colleague, John Holmes, was the first representative of this State in the Senate of the United States.

He was the son of Captain Joseph Chandler, and was born in Epping, N. H., in 1762. He seems to have come of a warlike stock, for his father served four years as a captain in the French and Indian war. When the war of our Revolution began Joseph Chandler was an old man, and burdened with corpulence, but his military ardor had not abated, and in spite of the remonstrance of his friends he determined to take command of a company of recruits which he had himself raised. He died, however, on the 17th of September, 1776, of a disease incident to camp life. His son John, the subject of this paper, was but fourteen years old at the time of his father's death, and was one of a family

of ten children left by that event in poverty. Young as he was, however, he offered himself as a recruit in the army, and served out two enlistments as a soldier, besides being engaged on board the privateer ship Arnold during a cruise, which, after being signalized by the taking of several prizes, ended in her capture by the enemy. In the war of 1812 he served as a brigadier-general, being engaged in several actions, and suffering the misfortune of being wounded and made prisoner.

The military spirit bred in his blood, and nourished by the heroic exploits of two wars, was the predominant trait of his character, and was indicated by his personal bearing, his stiff and erect form, and a somewhat brusque and abrupt manner of speech. Though he had seen the glories and honors of real war, he did not despise, but was rather fond of, the parade and drill, which is a part of the training of a soldier. He was always active in maintaining the organization and discipline of the militia, and enjoyed and magnified the honors and offices, from the rank of ensign up to that of major-general, that had been successively conferred upon him.

In the legislature of Massachusetts and in both branches of the national Congress, in which he served, the measures in which he chiefly interested himself were military measures. While a senator of the United States he succeeded in establishing a military arsenal at Augusta, — an expedient of much importance in reference to the frontier and

exposed position of Maine, — and in building the military road from Bangor to Houlton. In this latter project he was enabled only partially to accomplish his design, which was the opening of a road to the Madawaska River, by means of which the United States would have gotten early possession of the disputed territory and have precipitated the settlement of the rich valley of the Aroostook, and the result would have been such an interest in that growing community, and such a valuable stake in the controversy between us and Great Britain, that our statesmen would have never dared surrender to cunning diplomacy that large section of the northern frontier of Maine so clearly ours by right and treaty.

The adventurous spirit begotten of his military enthusiasm made him an explorer and pioneer settler of this State. The poverty in which he was left by the death of his father being perpetuated by the inadequacy of a poor farm to maintain his widowed mother and her dependent children, he came to Maine at the head of a party of his neighbors, and commenced a settlement in Wales, afterwards incorporated into the township of Monmouth, in the county of Kennebec. Of course the herculean labors of a first settler in a region covered with forests, where timber had to be felled, lands cleared, roads opened, houses, barns, and mills built, fell upon him in common with his fellow-adventurers. Our New England forefathers have this imperishable glory, — they were their own

servants and their own laborers, and won their fortunes and the grand pattern of their characters from the fields they subdued and tilled without the help of unpaid slaves or the eye-service of hireling laborers. Of course their work was done thoroughly and well, because they did it themselves.

In these infant settlements, not so busy with the struggle for life, amidst hard conditions of climate and soil, as to forget the religious, educational, social, and civic institutions, which as a self-governing people they are called upon to maintain, a man of the capacity and energy of General Chandler would necessarily find constant and varied employment. He was plantation clerk and assessor before the town was incorporated, and was selectman and assessor many years after its incorporation, as well as town clerk. He was postmaster of Monmouth as soon as a post-office was established there in 1794, his last commission bearing date 1818. He assisted in taking the census of Maine in 1790, and was twice employed as revenue collector of the direct tax of the United States.

He was for two terms collector of the port of Portland and Falmouth, from 1829 to 1837. He was constantly in commission as justice of the peace, and once as chief justice of the Court of Sessions. He left his seat in Congress to take a commission from the governor of Massachusetts as sheriff of his county at a time when the office was not only honorable and lucrative, but responsible

and dangerous. He was three times a senator in the legislature of the commonwealth of Massachusetts, and one of the representatives in Congress from that State during Jefferson's administration. He was very active and zealous in promoting the separation of Maine from Massachusetts, having been a member of two different conventions called to consider the question of separation, and also of the convention that formed the Constitution of the new State. When the state government went into operation he was elected to the Senate of Maine, and, on its assembling, became its president. The same legislature made him one of the first senators, the eminent and eloquent John Holmes being his colleague. He drew the short term of three years, and on its expiration was elected for the long term, his whole time of service in the Senate being nine years.

Though he had been able in his impoverished boyhood to obtain but the meagre rudiments of an education, he had the culture of experience and of practical life, and acquired, through association with military men in the two wars, the manners and address that were more the distinction of gentlemen in his time than in ours. His writings and probably his speeches show some deficiency of grammatical and rhetorical training, though he was always able to express himself in good English, and in a style plain, pithy, and concise. Like many other men of our State, of forcible character and strong mind, he prized education, and made

sacrifices to confer it upon his more favored children. One of his first enterprises, upon getting established in the town of Monmouth, was the institution of Monmouth Academy, of which he was the principal founder and a trustee. He was also for many years a trustee of Bowdoin College. In no way did the sagacity and foresightedness of our fathers display themselves to better advantage than in the sacrifices they made to establish and maintain academic instruction of a high order among the early settlements of Maine. Nearly all the men of Maine eminent in politics, law, science, theology, and business, whose reputation has given honor to our State, owe the beginning, and many of them the whole, of their education to these institutions. I doubt if our elaborate and costly and nearly universal system of graded public schools and high schools, that have taken the place of these old academies, will be able in the next generation to show such good results. One of the most honorable and useful services which General Chandler in his long life rendered the State was his accepting and discharging the trust of sheriff of Kennebec County, conferred by the governor of Massachusetts, in the beginning of 1808. A state of lawlessness verging upon civil war — the popular discontent being shown by the murder of a deputy sheriff — made it necessary to confer this important executive office upon some person of highest integrity and of general popular esteem, whose courage was known and respected.

General Chandler was such a man, and his leaving so conspicuous a theatre of public distinction as the American Congress to accept a hazardous and responsible task shows how far the ambitions of his public life were controlled by considerations of duty. But as I find a vivid account of this part of his history in his biography, I prefer to let him give it in his own language.

In politics General Chandler, like most of his compatriots who effected the separation from Massachusetts, was a Democrat of the old school. It was not more the desire to found a new State and administer its civil affairs than it was to emancipate themselves from what they considered the rigor of the Federal rule in Massachusetts that induced such men as Chandler and King and Ware and Anderson, year after year, in spite of adverse votes, to agitate the question of separation until it was finally carried by the requisite majority. It was the prestige of such men, their sterling virtues, their great ability, their acknowledged public services, that enabled their party to maintain its ascendency in this State, even after questions had arisen upon which their attitude was less liberal and less democratic. General Chandler adhered rigidly to all the accredited maxims of his party, and made its rules and usages binding upon his public conduct. He would not accept from the Committee on Public Roads the boon of his military road to the eastern frontier as a measure of Whig policy, because the Democracy of Jackson's

time rigidly disclaimed the idea that the general government could carry on internal improvements within the States. After he was appointed collector of Portland, President Jackson offered him the better position of collector of Boston. He resolutely declined it, because he thought it would disappoint his friend Mr. Henshaw, and injure the fortunes of the Democratic party in Massachusetts.

He refused a third term of office in the Portland collectorship, and removed to Augusta, where he lived till his death in the pleasant and commodious house lately occupied by Judge Rice. He died September 25, 1841, in the eightieth year of his age. He left two sons, now deceased, — Anson G. Chandler, an esteemed and able judge of the late State District Court, and John A. Chandler, for many years clerk of the courts of Kennebec County, — and two daughters, one married to Dr. Nourse, a man of marked ability, for a short time member of Congress, the other to Dr. Prescott, an esteemed physician. There were two other daughters and one son who died in infancy. His widow survived till 1846, and was eighty-two years old at her decease.

It would be difficult to find among our prominent public men a single one whose career has been fuller of romantic adventure, varied fortune, privation, and labor on the one hand, and public honor and political and business success upon the other, or whose life has passed in more varied, useful, and conspicuous service. The orphan soldier

when a mere lad, the naval hero suffering the horrors of a pestilent imprisonment, the pioneer settler battling for fortune with the snows and woods of a northern wilderness, the trusted military leader, the faithful executive officer, the judicial and impartial magistrate, the senator in the councils of a great nation, — he had acted in all these characters and filled all these public places, and left them with the confidence of his fellow-citizens and an integrity never questioned.

EXTRACTS

FROM THE AUTOBIOGRAPHY OF GENERAL JOHN CHANDLER, OF MONMOUTH, ME., IN THE ARCHIVES OF THE MAINE HISTORICAL SOCIETY; GIVING SOME ACCOUNT OF HIS SERVICES IN THE REVOLUTION AND IN THE WAR OF 1812.

HIS IMPRISONMENT AND ESCAPE FROM A BRITISH SHIP OF WAR.

In January, 1779, without the knowledge of any of his friends, he[1] left home, travelled to Newburyport, and there entered on board the privateer ship Arnold, mounting eighteen guns, with a crew of one hundred and twenty men and boys, commanded by Captain Moses Brown (who afterwards commanded the frigate Essex), and the next day sailed on a cruise. After taking several prizes, they fell in off St. Michael's with a British ship of war, mounting twenty guns, when a severe action took place, which lasted three glasses. Both ships were much crippled, and separated, apparently by mutual consent of both parties. The Arnold put into Corunna (Spain) to repair, where she was detained for some time. Her repairs being completed, she again sailed on a cruise, and on the ninth day out she fell in with and was captured by the British ship of war Experiment, of fifty

[1] General Chandler tells the story of his life in the third person.

guns, commanded by Sir James Wallace. The Experiment, being bound to the coast of the United States, put into Savannah River early in May, and put the men she had captured on board two prison ships which lay near Coxspur Island, already full of prisoners taken by land and by sea, so that they were now literally piled on each other. Here they suffered from vermin, ill usage, starvation, sickness, and mosquitoes more than can be conceived of by those who never witnessed such a situation. However, death during the summer kindly released almost all on board, and in August those who still lived were put on board one ship, the Eleanore, and there being so small a number the guard on board became less vigilant than usual, and there was little for them to fear from the escape of the prisoners, as there was scarcely a well man amongst them. Young Chandler was one of the very few whose health continued through the summer. A plan of escape was meditated between him and eight others. The late boatswain's mate of the Arnold, whose name was Millet, from Marblehead, was the leader. It was contrived to get a plank loose between the hold, where the prisoners lay, and the steerage, so that it could easily be taken out and leave room for a man to pass through. The guard, consisting of a sergeant and nine men, slept on the quarter-deck. Their arms were stacked on the quarter-deck quite astern. A sentinel was stationed at the hatchway, which was left only large enough

for one man to pass at a time, and but one prisoner was allowed to go on deck at a time in the night-time. The plan of escape meditated was that after the guard should be asleep one of the stoutest of the prisoners should be on deck, and at a signal by the men he should seize the sentinel and disarm him, while the others should rush on to the quarter-deck, through the steerage, and seize the arms there stacked. Millet took it upon himself to manage the sentinel. Several times were set to carry the project into execution, but sometimes the boat would not be on board, and sometimes the guard were disinclined to sleep. Captain Brown, who was sick on board, always advised against the project, alleging that it would be but a short time before the prisoners would be recaptured by the French fleet and General Lincoln's army. The former was then blockading the harbor, and the latter lay in rear of and besieging the town. But, notwithstanding this caution, it was still determined by the projectors to execute their plan the first favorable opportunity. About the middle of September the guard were relieved by a guard of refugees, who appeared as ignorant of their duty as could be wished for, and well disposed to sleep. This was the moment to be embraced, and the night of the 17th of September was fixed for the time, as the moon would set about eleven o'clock at night. The night came, and all was ready. Just after the moon set Millet went on deck. The sentinel was walking back and forth by

the hatchway. When the signal was given Millet seized the sentinel, disarmed him, and threw him into the hold amongst the prisoners. Those in the hold were in a moment on the quarter-deck, and seized the arms. The guard made no resistance, as they were threatened with death if they made the least noise. They submitted, and were put down the forescuttle and secured. The boat was lowered, and twenty-three of the prisoners taken into it. The object was to reach the French fleet, which then blockaded the harbor, but in this the escaped prisoners were disappointed. They then ran the boat up a creek as far as they could get her, and left her, and just at daylight reached the dry land, through swamps and creeks and amidst alligators. Their object now was to reach General Lincoln's army, which lay in rear of Savannah; but the British patrols and the guards must be avoided, which compelled them to take a circuitous route. They, however, reached General Lincoln's encampment on the third day, to their great satisfaction, where they remained some little time to recruit and gain strength. This done, some disposed of themselves one way and some in another. At length Chandler proposed to set out and travel by land to New Hampshire if any one of the crew would accompany him. He told his comrades that, although they must depend on a precarious living, they would be able to see much of the country. The ship carpenter's mate, by the name of Pierce, from Newburyport, and a man by the name of John

Dearborn, of North Hill, N. H., concluded to set out by land with Chandler. Dearborn was very feeble and Pierce not well. Chandler had no other means of support than the avails of his gun and cartridge-box, which, with a blanket, he had taken from the guard on board the prison ship. Pierce and Dearborn had less. They set out on the journey, but could travel but very little way in a day at first. Dearborn continued to fail, which retarded the progress of the others very much. He, however, reached North Carolina, where he died. Pierce had been failing for some time, and although Chandler had got so used to travelling that he could perform a good day's journey, still, as Pierce was unwilling to be left, they proceeded slowly on their journey, living mostly on charity, although at times it was a most scanty subsistence. At length they reached Philadelphia. Here Chandler got an order from the Quartermaster's Department to draw provisions for himself home to New Hampshire, and for Pierce to Newburyport.

They now set forward with new courage, but Pierce, who had become very feeble, only reached New Jersey, where he died. Chandler now proceeded on his journey alone, and arrived at Epping, in New Hampshire, early in February, 1780, to the great joy of his mother and friends; for they had not heard anything of him from the time he left home, nor could they conjecture what course he had taken.

MILITARY SERVICES IN THE WAR OF 1812.

General Chandler was elected major-general of the 17th division of the Massachusetts militia on the 27th of February, 1812. He was afterwards appointed a brigadier-general in the army of the United States in July of the same year, his commission to that office bearing date 18th of November, 1812. He joined the army at Greenbush, near Albany, in the State of New York, on the 12th of September of the same year, and on the 17th of the same month assumed command of the troops encamped at that place. On the 13th of October he received orders to prepare to march the troops there encamped to Plattsburg, in the State of New York, and on the 16th of the same month he took up his line of march for that place, where he arrived on the 26th of October, 1812. General Bloomfield, being senior officer at that place, had the command. On the 7th of November a council of war was held, and in obedience to discretionary orders from General Dearborn decided in favor of marching into the borders of Canada, in order to produce a diversion of the British forces supposed to be marching up the lakes. On the 16th of November, General Bloomfield being unwell, General Chandler, with the 6th, 9th, 11th, 15th, 16th, and 25th regiments of infantry and two companies of artillery, took up his line of march for the British lines. He arrived at Champlain on the 17th, and encamped for the

night in the woods, the snow being eight inches deep. On the 18th General Dearborn arrived and assumed the command. Previous to his arrival General Chandler had detailed Colonel Bradley and Major Eustis, with two hundred men, to attack a party of British troops and some Indians who were stationed at Odell's, about five miles beyond the line, but they fled on the approach of Colonel Bradley's detachment. On the 21st General Dearborn issued an order for the troops to take up their line of march for Plattsburg, where they arrived on the 23d of November. On the 25th General Chandler crossed Lake Champlain with his brigade to Burlington, where barracks had been erected for winter quarters, for General Bloomfield and his own brigades.

On the 4th of December General Dearborn issued an order giving General Chandler the command of the army at Burlington, — Generals Dearborn and Bloomfield leaving for the south. Here General Chandler spent the winter, except the time taken for a short visit to his family.

On the 18th of March, 1813, General Chandler received orders to march his brigade to Sackett's Harbor, his brigade consisting of the 9th, 21st, and 25th regiments. On the 24th he commenced the march, with three hundred sleighs for transportation of troops, baggage, and military stores. The snow was four feet deep a part of the way, and the weather remarkably cold. The men were obliged to camp out in the snow, and it was with much

difficulty that they were kept from freezing. He arrived at Sackett's Harbor on the 2d of April, and assumed command of the whole army there, being senior to General Pike, who had command before his arrival.

On the 11th of May he received orders to march to Niagara with the 6th, 9th, 14th, 15th, 16th, and 25th regiments of infantry and Colonel McCoomb's regiment of artillery, and on the 16th of May he commenced embarking the troops on board Commodore Channing's fleet, completing the embarkation on the 17th. On the 19th he sailed for Niagara, and, arriving at Four Mile Creek, three miles from Fort Niagara, on the 21st of May, disembarked his troops, and encamped at that place in company with the army under command of General Dearborn.

On the 23d of May Generals Lewis, Winder, and Chandler were ordered to headquarters to assist in making arrangements for the attack upon Fort George, which was to take place on the 27th. On the 26th an order was issued for the troops to be ready for embarking at the shortest notice. The order of battle was as follows, namely: The riflemen and a corps under the command of Colonel Scott (about seven hundred in all) formed the advance. Next followed Boyd's brigade, then Winder's brigade. General Chandler commanded the reserve, consisting of his own brigade and McCoomb's regiment of artillery. General Dearborn was sick on board the Madison, but General Lewis,

who was the next in command, did not get on shore until all danger from the fort was over, or about the time that the reserve had effected their landing. The moment General Chandler's boat struck the shore he sent an officer to inform Lewis that, by the time he would receive the message, his (Chandler's) line would be formed, and wait orders. But by this time the enemy had commenced to retreat. General Lewis then ordered Chandler to march to the rear of the town, and to detach a small body of men to enter it and reconnoitre, and wait further orders. Chandler took the position directed, sent a detachment into the village, and found it evacuated, of which he gave General Lewis notice, informing him that he still waited orders. But he waited in vain. No orders to pursue the retreating enemy were received by him; and they had time to make good their retreat. He was only ordered to push forward and occupy the town. Had General Lewis acted with energy, and ordered a pursuit immediately by half the force under his command, the whole of the British army must have been captured. For this neglect Lewis was censured by every officer of the army, and ought to have been cashiered.

On the 28th of May General Lewis was ordered in pursuit of the enemy with Winder's brigades and Burns' regiment of dragoons. He marched as far as Queenstown, and there, finding good quarters, he halted, detaining Winder's brigade to guard him, and ordered Chandler, with his brigade

and Burns' dragoons, to advance to St. David's, where they arrived about ten o'clock at night. Here General Chandler received information that the enemy had encamped at Beaver Dams the night before, and that they had marched during the night in the direction of Burlington Heights, at the head of Lake Ontario.

On the 24th General Chandler received orders from General Dearborn to fall back on Fort George, the latter general having now received information also that the enemy were marching in the direction of Burlington Heights. General Chandler's brigade arrived at Fort George on the 24th. On the 31st of May General Winder was ordered to march to Forty-Mile Creek (in the direction of Burlington Heights) with his brigade and a part of Burns' dragoons, and on the 3d of June General Chandler was ordered to march to Forty-Mile Creek with the 9th, 23d, and 25th regiments of infantry, Captain Archer's company of artillery, and one company of riflemen, and there to form a junction with General Winder's detachment, and assume the command of the whole force. General Winder's detachment consisted of the 5th, 13th, 14th, and 16th regiments of infantry, two companies of artillery, and a part of Colonel Burns' dragoons, in all about fourteen hundred men. Chandler formed a junction with Winder on the morning of the 5th of June, assumed the command of the whole, and took up his line of march for Stony Creek, about eleven miles in ad-

vance. Here, learning that the British army was encamped at Burlington Heights, he determined to cross between Lake Ontario and Burlington Bay, and thereby cut off their retreat down the lake to Little York.

When he had nearly arrived at Stony Creek, where the road is a little more than a mile from the lake, his advance fell in with a strong British picket, under the command of Colonel Williams, and a skirmish ensued. General Chandler, then marching by his left, ordered the 25th regiment to the support of his advance. On the approach of this regiment the enemy broke, scattered, and fled, and it was not until after sunset that the pursuit was discontinued. General Chandler found a strong position near a small meadow, which was in the form of a horseshoe, widely spread at the heel, the toe towards his own line and the heel towards Burlington Heights. Through the centre of this meadow the road ran from toe to heel, leading to the British encampment. The ground around this meadow was from twenty to twenty-five feet higher than the meadow itself. The trees on the slope, or falling off of the high ground to the meadow, had been felled, but the land had not been cleared off, and was so thick with briers, limbs, brush, and logs as to render it almost impossible to pass through it. A mountain or sharp hill upon General Chandler's left, very difficult to pass, shut down snug to the meadow. On his right was a swamp, almost impassable. Here Chandler halted,

and made his arrangements for defence in case of an attack during the night, which he expected would take place. The troops were posted as follows, namely: the two companies of artillery were posted in the road, which was very straight for at least one hundred and fifty rods; the 25th regiment, which was large, formed the right, its left resting on or near the road, and its right resting on the swamp; the 23d regiment, with its right on the left of the 25th, so as to cover the artillery completely; the 16th regiment on the left of the 23d; the 5th on the left of the 16th; and riflemen on the left of the whole, their left resting on the foot of the mountain or hill. The ground around the meadow and south of it was cleared and in grass up to the bluff, where the ground fell off to the meadow through the felled trees, briers, and brush before mentioned. On the bluff around the meadow was a fence, partly made of logs and partly of rails. Chandler's design was to form his line around the meadow by this fence, so that in case of an attack he could bring his fire to bear upon the enemy's front as well as upon each flank at the same time. The troops were ordered to form as near the fence as circumstances would permit, and lay upon their arms. The ground upon the right was such that the troops were formed directly on the place they would occupy in case of an attack. The same arrangement was made on a part of the left, but where the 16th and 23d would come in the line near the fence the ground was wet, so that

they were obliged to lie down ten or fifteen rods in rear of the fence in echelon, which would require them, in case of an attack, to wheel into line and advance to the fence. Colonel Burns' dragoons were a little in rear of the whole. Colonel Burns was officer of the day, and posted the guards. The 9th regiment, being very small, formed the rear guard. Right and left flank guards were posted at the swamp on the right and at the foot of the mountain on the left, and an advance or picket guard of one hundred men, commanded by Captain Vanvectin, was posted from half to three fourths of a mile in advance of the meadow, with a chain of sentinels, properly posted, with strict orders to the captain of the guard to keep out constant patrolling parties toward Burlington Heights. These arrangements being made, it became necessary for the troops to have fires to cook their provisions, as they had cooked nothing for the day. Fires were ordered for the left a little in their rear, but Chandler, expecting to be reconnoitred by the enemy during the night, did not intend that his position should be found to be the same in the latter part of the night that it was in the fore part of the night. He therefore ordered the right wing to advance across the meadow and kindle their fires along the north side, and to do their cooking there, and remain there until further orders. At twelve o'clock at night he ordered peat to be added to their fires in large quantities, and then that the right wing should fall back into their place in the

line by the fence on the south side of the meadow, leaving their fires burning. At the same time he ordered all the fires on the south side of the meadow to be extinguished, and in this state of things waited the expected attack. General Winder was with General Chandler at his tent for a considerable time during the night, but he could not believe that an attack would be made. Adjutant-General Johnson (an excellent officer) remained with General Chandler after General Winder left his tent. Neither General Chandler nor General Johnson slept nor closed their eyes for the night. The horses of both were fastened near the tent, and orders had been given that the harnesses should not be taken from the artillery horses. About an hour before day, on the morning of the 6th of June, the discharge of a musket was heard. Both officers instantly mounted. The tent was a little on the left of the 25th regiment. Chandler at once gave orders to form for action. The line was formed with the greatest facility on the right, as the men had only to stand up and they were formed. General Johnson was immediately sent with orders to General Winder to see that the left was formed according to the plan concerted the evening before. This was no sooner done than the head of the British column, or their advance, was seen, by the light of the fires in the front (which had been left by the right wing at twelve o'clock at night), entering the meadow. They attempted to deploy to the left, to dash in

on the right wing of the Americans while asleep, as they supposed, by their fires; but they had, as ordered, fallen back to their places in the line at twelve o'clock the night before. At this moment the right and the extreme left, as well as the artillery, opened a deadly fire on the enemy. Their column was broken at the first fire. Observing that the fire from the centre about the artillery was not what he expected, General Chandler approached the artillery, and found that the 23d regiment had not taken its place. He immediately despatched an officer with orders to the regiment to take its place in the line. It should be mentioned here, to understand the situation, that it was one of the darkest nights ever known. There was a thick fog, or misty rain, and not a breath of air stirring, and smoke, after the firing commenced, added, if possible, to the darkness. The officer sent to bring the 23d into the line not returning, a second officer was sent for the same purpose, who also did not return. Adjutant-General Johnson being the only officer left about the general, he also was sent to find and bring the 23d into its place in the line, if possible. He had left the general but a short time, before he heard the firing of muskets in the rear, towards the rear guards. General Chandler, fearing that a party of the enemy had gained his rear over the mountain or hill by some pass unknown to him, instantly directed General Winder to order the 5th regiment to form near the woods in his rear, toward

the rear guard, and to make a stand there. In a few minutes General Chandler heard a new burst of fire upon his extreme right. He supposed that a reinforcement of the enemy were attempting to turn his right. Not having an officer about him to send with orders, he clapped spurs to his horse and started to go to the right himself, to take such measures there as might be necessary. His horse, when scarcely pushed into full speed, was shot and killed under him. In the fall the general was severely wounded, principally in the hips and shoulders. He was for some time, he knew not how long, senseless. When his senses returned he recollected what he had set out to do, and, getting on to the right as soon as possible, gave the necessary orders for its defence, and then returned to the centre. When he got to the road he heard troops, apparently in confusion, near the artillery. He supposed that the 23d had been brought on to the ground, and that Adjutant-General Johnson was endeavoring to form them, as it was very near their place in the line. The general immediately stepped in amongst them, and ordered them to form, and called for Colonel Johnson. Instead of the 23d it turned out to be a squad of the British troops, who had broken and lost their regiment, and they were trying to form in the darkness. When General Chandler called for Colonel Johnson, they knew he must be an American, as they had no officer by that name. They immediately, with bayonets at his breast, demanded his surrender;

and in his situation there was no alternative between a surrender and instant death. He was taken with them in their retreat across the meadow, and General Winder fell into their hands a few minutes after. In the darkness of the night, or rather morning, the whole British force retreated immediately. They did not know whom they had for prisoners until they arrived at Burlington Heights. After arriving at their encampment at the Heights they immediately packed their baggage in their wagons, and there is not the least doubt but that they had done all the fighting they intended to do, and were prepared for an immediate retreat. But General Vincent, their commander in chief, was missing. Colonel Harvey, the next officer in command, immediately sent a flag of truce to the American army, for the double purpose, no doubt, of inquiring if General Vincent was to be found among the dead or wounded, and at the same time to watch the movements of the American army; and Colonel Harvey continued sending in flags as often as once an hour for the same purpose, General Vincent not being heard from. It turned out that General Vincent lost his command in the dark, when his troops broke at the commencement of the battle, and conceiving that the British were overwhelmed and cut up, he lay concealed in the woods until afternoon of the same day, when he found his way to his headquarters at Burlington Heights. This account of General Vincent was given to General Chandler

by Captain Milns, one of Sir George Provost's aids-de-camp, who was at Burlington Heights, and had a command in the action. Captain Milns further informed General Chandler that he also lost his command in the dark, and did not find it again until daylight. In the afternoon, on the return of one of Colonel Harvey's flags, he informed General Chandler that the American troops were retreating. The general was thunderstruck at the information, for he knew that the British had been severely beaten by less than half their numbers, and compelled to retreat and leave their killed and wounded on the field of battle, and that the number of their killed and wounded was at least three times the number of the American killed and wounded, and that the number of prisoners taken by the Americans was quite equal to the number of prisoners taken by the British. In fact, the British had not been more severely beaten in any action up to that time since the commencement of the war. The 5th and the 25th regiments, the artillery, and the riflemen did about all the fighting that was done, for the 13th and 14th regiments, both strong, were at the mouth of the creek, more than a mile from the battle-ground. The 23d never came into the line, and the 16th did little better. Neither the 9th regiment nor Burns' dragoons had been engaged at all, and, such was the darkness of the night, it was impossible to move any of the troops with safety until daylight. Before General Chandler was wounded, his chief

object was to hold the enemy at bay until daylight, for he felt sure that as soon as it should be light enough to see the exact position of the enemy he would be able to gain a complete victory over them. But, notwithstanding all this, Colonel Burns, on whom the command of the American army devolved, retreated, and fell back upon Fort George. Colonel Burns was a new officer, had never seen service, and, although he might have been brave, it is probable he had not full confidence in himself, and it is possible that some of the officers had not full confidence in him. However this may be, the army retreated, as before observed.

The following is the copy of a letter from Adjutant-General Johnson to General Dearborn, dated

CAMP FORTY-MILE CREEK, *7th June*, 1813.

SIR, — It is with extreme regret that I announce to you the loss of our brave and worthy friend, General Chandler, who was made prisoner yesterday morning in the action with the enemy near Stony Creek. Unfortunately, General Winder was also taken, both about the time that victory was ours. The morning was extremely dark, so much so that we could not distinguish a red coat from a blue one at the distance of three paces. This induces me to believe that they were lost by entering the enemy's lines, supposing it to be their own. They both behaved throughout the action with the utmost boldness and bravery, and it is with great satisfaction I can assure you that they were not taken by surprise or alarm. They anticipated the attack, and had made their arrangements accordingly. Our troops slept on their arms in line of

battle, formed to the best advantage that the ground would admit of.

The generals spent the previous night together until twelve o'clock in General Chandler's tent, making arrangements for the victory they anticipated the next day.

After the departure of General Winder and our guides, General Chandler and myself lay down, but did not sleep. About twenty minutes past two o'clock in the morning our outposts and guards were fired upon by the head or advance of the enemy's column. They immediately after advised us of their approach by a tremendous savage yell. General Chandler and myself were mounted instantly, and the line formed and waiting for the enemy by the time they were within musket shot. General Chandler immediately took post in the rear of the left flank of the right wing, where he issued his orders with the utmost coolness, and occupied his leisure moments in encouraging the troops to perform acts of valor. I carried his orders frequently to General Winder, who commanded the left wing, where I found him busily employed, and with great energy encouraging his men and giving orders.

In carrying those orders I lost sight of General Chandler, and did not know that he was taken until daylight. His horse was shot under him in the height of the action.

The officers and troops behaved like veterans, and if we had not lost our generals we should have been covered with glory.

I have the honor to be, etc.,

(Signed) JOHN JOHNSON,
Assistant Adjutant-General.

The injury which General Chandler received by his fall when his horse was killed under him was such that he was unable to walk without crutches

for months, and his shoulders were so injured that he was never after able to put his clothes on or off without the assistance of a second person. He had two balls shot through the breast of his coat, either of which, had it gone four inches to his right, would have proved fatal. The uppermost one would have gone directly through his heart. His horse had three balls through him: one of them in the lower part of the belly, one through the neck, and the last and fatal one through his head.

Toward night on the 6th of June, the day he was captured, having been let blood and receiving such other surgical aid as the surgeon thought proper to administer, General Chandler was carried to a bateau which lay in Burlington Bay, into which he was put, together with General Winder and several other officers, and sent off for Quebec, at which place they arrived on the 24th of June, and were soon after paroled to keep within certain limits, in the parish of Beaufort, near Quebec.

Here the general remained until the 27th of December, 1813, suffering everything but death from the wounds and injuries he received when his horse was killed under him in the battle of Stony Creek. About the 1st of November he had so far recovered as to be able to walk without crutches, with the help of a cane.

During the season Sir George Provost found among the prisoners, taken in some action, several whom he claimed as British subjects, and sent

them to England to be tried and executed for bearing arms, as he alleged, against their king. General Dearborn, by order of his government, placed a like number of British subjects, whom he held as prisoners of war, in close confinement as hostages, notifying Sir George thereof, and that the same punishment would be inflicted on them which should be inflicted on the prisoners he had taken from the Americans and sent to England for trial. Sir George immediately put in close confinement a like number of Americans, whom he held as prisoners, as hostages for like punishment, and the two governments retaliated on each other until all the American officers whom Sir George held prisoners below the rank of field officers were in close confinement for execution, and the Americans by way of retaliation had a like number of British officers prisoners in close confinement, to be executed if the British government should commence the work of death. On the 27th of December, 1813, General Chandler, General Winchester, General Winder, Colonel Lewis, and Major Madison were carried into Quebec and put into confinement, to await a like punishment with the others. Here they remained, not knowing how soon or when their execution would take place. But on the 19th of April, 1814, in the morning, General Glassgow called on General Chandler and informed him that he and the other officers were exchanged, but were not to bear arms until the 15th of May then next. And on the 21st of April General Chandler, Gen-

eral Winchester, General Winder, Colonel Lewis, and Major Madison set out from Quebec for the United States, and after a tedious and painful journey General Chandler arrived at Monmouth, his place of residence, on the 12th of May, 1814, and received the embraces of his family and the kind greetings of his friends.

As soon as the general had so far recovered as to be able, he wrote to the secretary of war, and requested that a court of inquiry might be instituted to investigate his conduct at Stony Creek on the 6th of June, 1813, in which battle General Chandler was made prisoner of war. But the President did not think it necessary, being satisfied with his conduct, and a court was never instituted.

GENERAL CHANDLER'S IMPORTANT SERVICES IN QUELLING RIOTS AND RESTORING PEACE TO A DISTURBED COUNTY WHILE SHERIFF OF KENNEBEC.

On the 9th of March, 1808, he was appointed sheriff of the county of Kennebec. While at Washington, during the session of Congress of which he was a member, Governor Sullivan wrote him and requested him to return to Kennebec as soon as he conveniently could. There had been for a long time great difficulties growing out of the unsettled titles to land in the county of Kennebec, a portion of the land being claimed both by the Plymouth company and the Pejepscot proprietors. The dispute was of long standing, so that it was difficult for the settlers to get a good title if they bought,

some having been obliged to pay for their land twice, and even more. The settlers, accordingly, in some sections of the county, determined not to purchase until the titles were settled between the different proprietors claiming the same land. The proprietors brought actions of ejectment against the settlers, and drove them from their possessions. The settlers, exasperated at the loss of many years' labor, combined together to prevent the execution of the laws in relation to this subject until the titles should be settled between the different companies claiming the same land.

In addition to these difficulties the sheriff's office had been administered in so corrupt a manner as to render that department odious in the extreme. Sheriff Lithgow, the predecessor of General Chandler in that office, had been in the practice of appointing very unsuitable and base men for his deputies, they giving him, as it was said and believed, a certain sum per annum for the appointment, and they to have what fees they could get. Of course it became an object with the deputies to make the most they could out of the people, and they had become very exorbitant in their charges, and frequently a man would pay two or three fees upon the same execution. For instance, the deputy would call on the debtor with an execution, and tell him he must pay the money at once or go to jail, unless he could get property about the title to which there could be no dispute. The debtor could not pay the money at the time,

and asked delay during the run of the execution. "Well," the deputy says, "I cannot come for nothing; pay me my fee, and you shall have the run of the execution." The fee is paid. The deputy meets another deputy, and puts this execution into his hands in exchange for another which has gone through the same process. The second deputy calls on the debtor perhaps the next day for the money. The debtor says, "Why, I paid a fee on this execution yesterday to such a deputy, and he promised to give me the run of the execution." "I know nothing about that," the second deputy says; "pay the execution or go to jail." The debtor pays another fee, if he can raise the money; if not, he gives his note on demand, and the note is sued immediately. This course of treatment produced discontent, which, added to the difficulties with the proprietors, kindled such a flame that, in some sections of the county, the laws could not be executed. Some of the deputies were shot and wounded, their horses killed, and their lives threatened, if they attempted to serve any precepts amongst the people; and the better part of the community were very much dissatisfied with the administration of the sheriff's department.

Such was the situation of the county when General Chandler was appointed sheriff. On receiving the appointment he resigned his seat in Congress and returned to Kennebec. The night but one before he arrived at Augusta the jail was burnt, and he found the prisoners in an old barn kept by a guard. He immediately purchased hewed hem-

lock timber, which he found at the wharf, and set about building a temporary jail; and in six days, with seven men, he built and completed a jail, forty feet long and twenty feet wide, the whole expense of which did not exceed $270. It answered a good purpose until a permanent jail was built. His next step was to visit all the dissatisfied districts, to convince the settlers that the laws must be executed, and he did this in the following manner: He notified a meeting in each of the settlements or plantations on the appointed days, and requested the settlers to meet him at the times and places named. They willingly embraced the opportunity, and appeared pleased to see the sheriff among them. The sheriff endeavored to convince them of the impropriety of their resisting the law, and to show them that it would operate very much against them every way, and particularly in their contest with the proprietors. In this he was successful. He informed them that the laws would certainly be executed, but that it should be done in a just and proper manner, and with as much lenity and indulgence as possible. Wherever he went he was well received by the settlers, and he left them with their best wishes and good feelings. He appointed his deputies from the respectable part of the community, and it was his purpose to appoint none but men of strict integrity and honesty, and in his selection he was generally fortunate. Whenever he found he had made a mistake in his appointments, he corrected the error as soon as possible. At this time the whole court and their

clerk (John Davis) were bitterly opposed to him in politics, as were also a great proportion of the gentlemen of the bar. It seemed to be an object with them, Judge Coney excepted, to break down and destroy the sheriff, if possible. It appeared to be the scheme of some of the attorneys so to lay their traps as to collect all debts which could not be collected from the debtors from the sheriff's department, and, owing to the uncertainty which existed as to who owned the property found in debtors' hands, and the uncertainty of who were good receiptors for property attached, it must be acknowledged that their scheme was often successful.

There was, however, no resistance to the execution of the laws after Sheriff Chandler came into office, and the public mind at once became tranquil in reference to the obstruction of officers. The difficulties, however, in relation to the land titles were not so easily adjusted. Resistance to running the lines still continued. In 1809 an attempt was made to run some of the lines in Malta by a surveyor by the name of Paul Chadwick. The settlers assembled, disguised like Indians (which was their usual practice), and forbade the running of the lines. Chadwick persisted, and they shot and killed him. A warrant was issued against David Lynn, Jabez Meigs, Elijah Barton, Prince Cain, Nathaniel Lynn, Jonas Proctor, Ansel Meigs, and Joel Webber, for the murder of Paul Chadwick. This produced great excitement throughout the county, and it was then believed that the ac-

cused could not be arrested. The new sheriff succeeded, however, in arresting the whole of them, and they were examined and committed for trial. It was expected that an attempt at rescue would be made, but the sheriff, to guard against it, called to his aid a military force, sufficient to crush all hopes of success in the attempt. In November, 1809, the trial of the rioters came on. They were, by the advice of their counsel, tried together, and not separately, and that was probably the reason of the whole party being acquitted: for although the crime of murder was clearly proved, the jury could not be brought to find a verdict whereby eight persons might be executed; whereas if only two had been tried together, or separately, against whom the charge was most clearly proved, there can be no doubt they would have been convicted. This trial seemed to bring the settlers to see the danger of pursuing the course of resisting the running of the lines. The legislature, too, were brought to see the absolute necessity of doing something whereby the settlers as well as the proprietors should be secured in their rights. The result of this outbreak, and the excitement it produced, was the well-known law usually called the "Betterment Act," a law that brought about a speedy adjustment of the claims between most of the great companies claiming lands by grants from the king, in Maine, and between the settlers and the proprietors, and that placed the people in a more eligible situation in relation to their land titles than they had been before.

ARTICLE VIII.

THE WHITE HILLS OF NEW HAMPSHIRE.

By EDWARD HENRY ELWELL.

Read before the Maine Historical Society, Portland, May 25, 1881.

THE WHITE HILLS OF NEW HAMPSHIRE.

The adventurous white man who first pushed up the Saco valley and ascended the White Hills was one Darby Field, a name that deserves to be remembered as that of the first White Mountain tourist. The Indians endeavored to dissuade him from the perilous attempt, but in the year 1642 he made the ascent of Mount Washington, and persuaded two Indians to accompany him. Returning with glowing accounts of the riches he had discovered, Thomas Gorges, a relative of Sir Ferdinando, the proprietor of Maine, with some friends, was induced to undertake the journey in August of the same year (1642). They were fifteen days in making the trip up the Saco and back, which we can now accomplish in a few hours. They discovered that this plateau included the sources of the Connecticut, the Saco, the Androscoggin, and the Kennebec rivers.

The first published narrative of a visit to the mountains was that of John Josslyn, given in his "New England Rarities Discovered," published in 1672. Josslyn was visiting his brother Henry, who dwelt at Black Point, now known as Prout's

Neck, in Scarborough. John was a naturalist, a curious, inquisitive man, who was the first to discover that a wasp's nest was not, as he had thought it, some strange new fruit, like a pineapple, plated with scales, and it is of this adventure of his that Longfellow sings: —

> I feel like Master Josselyn when he found
> The hornet's nest, and thought it some strange fruit,
> Until the seeds came out, and then he dropped it.

Josslyn himself says: "By the time I was come into the house they hardly knew me but by my garments." This grim, practical joke of the wasps long supplied food for bucolic mirth among the woodsmen of New England.

The White Mountains, as seen from Prout's Neck, loom up grandly on clear days. Josslyn must often have observed them, and longed for a closer acquaintance. He made the visit to them somewhere between 1663 and 1671, and seems to have had some intercourse with the Indians in the vicinity, as he gives their traditions in regard to their origin, and a very vivid and interesting description of the mountains themselves.

"Fourscore miles (upon a direct line)," he says, "to the northwest of Scarborough, a ridge of mountains runs northwest and northeast an hundred leagues, known by the name of the White Mountains, upon which lieth snow all the year, and is a landmark twenty miles off at sea. It is a rising ground from the sea-shore to these hills, and they are inaccessible but by the gullies which

the dissolved snow hath made. In these gullies grow savin bushes, which, being taken hold of, are a good help to the climbing discoverer. Upon the top of the highest of these mountains is a large level or plain, of a day's journey over, whereon nothing grows but moss. At the farther end of this plain is another hill called the Sugar Loaf, — to outward appearance a rude heap of mossie stones piled one upon another, — and you may, as you ascend, step from one stone to another as if you were going up a pair of stairs, but winding still about the hill, till you come to the top, which will require half a day's time; and yet it is not above a mile, where there is also a level of about an acre of ground, with a pond of clear water in the midst of it, which you may hear run down; but how it ascends is a mystery. From this rocky hill you may see the whole country round about. It is far above the lower clouds, and from hence we behold a vapor (like a great pillar) drawn up by the sunbeams out of a great lake, or pond, into the air, where it was formed into a cloud. The country beyond these hills, northward, is daunting terrible, being full of rocky hills, as thick as mole-hills in a meadow, and clothed with infinite thick woods."

Any one who has ever ascended Mount Washington on foot will recognize the truthfulness of this description. The resemblance of its peak to a sugar-loaf is apparent at a glance. The mystery of the water has been a mystery to many, but it

is now known that under the pile of rocks which composes the summit is a huge mass of ice, which, partially dissolving under the heat of summer, supplies the springs which furnish water to the Summit House. "Daunting terrible" indeed must have been the unknown country northward, with its multitude of hills, clothed with almost impenetrable woods.

Though the White Mountains were thus visited by white men as early as 1642, no settlements were made in the region until 1771, more than a century later. The Indian wars prevented an earlier advance of the white man. The Indians inhabiting this region were the Sokokies, or Pequawkets, and the Anasagunticooks, tribes of the Abenakis, the first inhabiting the Saco valley, the latter that of the Androscoggin. The Pequawkets were a terror to the white man until their overthrow by Lovewell in the famous fight at Saco pond. They had many famous chiefs: the dignified Squando, who was made the enemy of the whites by the outrage which caused the death of his child; the cruel and revengeful Assacumbuit, who boasted that with his own hand he had killed one hundred and forty Englishmen, and was knighted therefor by Louis XIV. of France; the friendly Chocorua, driven to his death for the price of his scalp by savage white men, and leaving his curse behind, flung down from the sterile mountain which now bears his name; and Polan, the inveterate enemy of the settlers, shrewd, subtle, and brave, who was

killed in a skirmish at Windham, on Sebago Lake, in the year 1750, and buried under the roots of a beech-tree, as Whittier sings. These tribes, seeing it was impossible for them to resist the encroachments of the white man, retired early to the St. Francis, in Canada, whence in 1781 six Indians made a raid upon Bethel, killed three men, and carried as many more into a captivity which lasted sixteen months. This ended the bloody Indian history of this region, being the last of the long series of attacks which had commenced with King Philip's war, more than a century before. A few still lingered on their old hunting grounds. Old Natullack built his hut on the shores of Lake Umbagog, where he lived with his daughter, the last of his race. The Indians have passed away, leaving behind them only the names they gave to hill and stream, and the traces of their encampments found here and there on the banks of the Saco.

As the Indians withdrew the whites advanced under the shadow of Waumbekketmethna (a word signifying white mountains). What could have induced the early settlers to make their homes in this rugged region of sterile hills and savage beasts seems at first a wonder. But they were drawn hither by the glowing accounts which hunters gave of the "rich meadows" of the Saco. Darby Field, the first explorer, told of "thousands of acres of rich meadow to Pegwagget, an Indian town," — the present Conway. We may to-day see these broad and beautiful intervales of Con-

way, and higher up in the mountain pass we may look down upon the emerald meadow where Abel Crawford made his home and where he labored so long. It was the fertility of these meadows which attracted the adventurers of a century ago, as the beauty, which their labors have added to them, has in our day drawn hither the crowd of artists and lovers of nature.

But it required strength and courage to enter this wilderness, reduce the forests, encounter its savage beasts, overcome the awesomeness of its towering peaks, and endure the severities of its climate. Only picked men came. They were a race of giants, who made easy the paths which we now tread. Captain Rosebrook, who built his house near the Giant's Grave, where now stands the Fabyan House, was large of stature and very strong. He once traveled eighty miles through the pathless wilderness bearing a bushel of salt on his shoulder. Major Whitcomb traveled fifty miles through the woods with a bushel of potatoes on his back, from which he raised one hundred bushels of good potatoes. Benjamin Copp, the first settler of Jackson, moving in in 1778 with his family, resisted alone the terrors of the wilderness quite twelve years before any other settler moved into it. He would start off to mill, ten miles through the woods, with a bushel of corn on his shoulder, and never take it off from the time he started from his door until he put it down at the mill. The Pinkhams, who have given their

name to one of the wildest passes of the mountains, came in on snow-shoes in 1790, when the snow was five feet deep on a level, all their worldly goods drawn by their single domestic animal, a hog harnessed to a hand-sled. The log hut to which they made their pathless way, and which was to be their home, was buried in the snow. It had no chimney, no stove, no floor, and no windows, except the open door or the smoke-hole in the roof. Elijah Dinsmore and wife traveled eighty miles in the dead of winter, on snow-shoes, he bearing all their furniture in a huge pack on his back, and both sleeping in the open air on the "cold, cold snow." The Crawfords were a race of giants. Abel, the father, at seventy-five, rode the first horse on to the top of Mount Washington. Of the eight sons, not one was less than six feet tall. Erastus, the eldest, was six feet and six inches in height, strong and compactly made. Ethan Allen was near seven feet, and made nothing of engaging in a hand-to-paw tussle with a bear. It was he who, when a party with whom he had just returned from the ascent of Mount Washington, found they had accidentally left a bottle of spirits on the summit, disappeared for a while, and then, reappearing with the bottle, said he thought he would "step up and fetch it." And it was he who used to bring ladies down from the mountains on his shoulders.

These adventurous men and women needed all the strength and courage they possessed, for the hardships they endured were many and severe.

Ethan Allen Crawford said that until he was nearly thirteen years old he never had a hat, a mitten, or a pair of shoes of his own, and after chopping wood barehanded all day his hands would swell and pain him so that his mother would have to poultice them before he could sleep. Labor was severe and food was scanty. Often they were on the verge of starvation. When food failed they buckled a wide strap of some skin around them to sustain them, and drew it the straiter as they grew more emaciated and thin. Once when a starving man had buckled into the last hole, and was hardly able to stand, a neighbor as badly off as himself crept to his door, and told him that a moose was not far from his cabin. The starving man made a desperate effort, cut a new hole in his strap, buckled it tighter, tottered out and shot the moose. Wild animals were numerous and troublesome. Bears ravaged their fields, wolves preyed upon their pigs, and the eagles that built their nests on the cliffs of the mountains pounced down upon their fowl. Even the moose were savage when provoked, and one of them once kept a poor hunter shivering all night in the top of a tree. But game was plentiful, and eked out their scanty supplies of food. They trapped and they fished, and what they did not consume to-day they salted down for winter's use. The winters were long and terribly severe, and to their rigors were added the perils of spring freshets. Most of the early settlers built their cabins on the intervales, along the banks of the

Saco, until taught their folly by the great freshet of 1800, which swept away houses, barns, and crops, and drove them back upon the high land.

In addition to these hardships the early settlers around these mountains were isolated and cut off from each other by the huge mountain barrier between them. Those dwelling on the west of the mountains had no communication with the seaboard, and lacking a market their lands were comparatively valueless. A wide circuit must be made either to the right or the left before they could get to the lower settlements. Only the most adventurous hunters dared cross the huge barrier on foot, and they did it with much peril. One day a hunter named Nash, climbing a tree on Cherry Mountain in search of a moose, saw what appeared to be a pass in the mountains. Steering for the opening he discovered the Notch, and struck the head waters of the Saco. The pass was then blocked with huge masses of rock, but making his way through he proceeded to Portsmouth, and informed Governor Wentworth of his important discovery. Said the wary governor, "Bring me a horse down through this pass, and I 'll give you a township of land." This was a difficult operation, but with the aid of a brother hunter named Sawyer, letting the horse down by means of ropes over the projecting cliffs, the task was accomplished. As they lowered the old horse from the last projection upon the southern bank, Sawyer drank the last drop of rum from his junk bottle, and break-

ing it upon the rock called it Sawyer's Rock, which name it bears to this day. It lies by the side of the carriage road, in view of the car windows, in the town of Bartlett. The governor was true to his word, and the present Crawford House stands in the midst of Nash and Sawyer's location.

It was not until 1803 that a turnpike was constructed through the Notch. It extended from the west line of Bartlett through the Notch a distance of twenty miles, and effecting, as it did, an outlet through the mountains for the pent-up population beyond, soon became a great highway of travel. Gates were set up and tolls established, and as it paid well the road was kept in a much better condition than it now is, since it has become a State road. Coos County was then beginning to be settled, and the Notch afforded the only outlet for its products. Then commenced the trade with the population north of the mountains, which contributed so much to the commercial prosperity of Portland. From Coos, from Vermont, away to the Derby line, came down in winter long strings of red pungs, each drawn by two horses, with a board projecting behind, on which stood the driver, clad in a long blue frock. In the pung were his round hogs, cheese, butter, and lard, together with a round red box in which was stored his own provender for the journey, in the shape of huge chunks of cheese and big doughnuts. A lady, who as a little girl often peeped into these boxes, and was offered a taste of their contents when she

brought the tea which their owners ordered at the tavern, says the doughnuts were raised, and had no sweetening save a slight admixture of molasses. The Hon. Frederic G. Messer, of Portland, tells me that he has driven one of these pungs down through the Notch in the night in the midst of a driving snow-storm, when there were seventy-five of them in a string. The drivers were hardy, resolute men, who made this wild pass resound with their shouts and merry banter. For a return load they took up flour, salt fish, rum, and molasses, and thus trade flourished, flowing through this narrow gorge, once known only to the Indians, as they stole away to Canada with their captives.

ARTICLE IX.

THE TERRITORIAL HISTORY OF BANGOR AND VICINITY.

By ALBERT WARE PAINE.

Read before the Maine Historical Society, Portland, May 25, 1882.

THE TERRITORIAL HISTORY OF BANGOR AND VICINITY.

The city of Bangor began to be populated in 1769, when Jacob Buswell and his family first located themselves on the bank of the Penobscot, in what is now the first ward of the city, a short distance above the mouth of the Kenduskeag. The whole region was then a dense wilderness, wild and uncultivated, on which the hand of government, as well as of civilization, had never been laid. It remained, as God had created it, free from administerial dictation, the abode of the wild beasts of the forest and equally wild aborigines, a part of that great mythical "Norumbega" which the men and poets of an earlier generation had signalized in history and song. Its governmental right had been nominally in dispute, for though, upon the first settlement of the country by the colonists of Plymouth, England was tacitly the undisputed owner of the whole region, and, by its extensive grant to the Plymouth Company, had embraced it within its limits, yet France had at times been quietly recognized as having the right of supremacy and control. After the successful battles of

Louisburg and Quebec, however, England became the undisputed possessor of the whole country, free from all opposing claims.

Immediately after the latter events, Governor Pownal, then commanding at Fort Point, came up the Penobscot River on May 23, 1759, "to a point about three miles above marine navigation," on the east side of the river, and made claim to the country as a part of the British territory. In token or proof of his act he then and there buried a leaden plate, with an appropriate inscription, significant of his object and intention, with the date of its planting. To this act, it is related, the people of the United States, and of Maine in particular, are indebted for the establishment of the St. Croix, instead of the Penobscot, as the eastern boundary of the Union. Having performed this act, the governor at once returned to Fort Point, and there built or completed the fort, the remains of which are still to be seen in front of the hotel now standing at that place. The locality of the leaden plate is supposed to be opposite, or nearly so, to the northeast corner of what was originally the town of Bangor, now Veazie, though its exact position is not known. This nominal but yet actual possessory title of Great Britain remained until broken up by the war of the Revolution and by the treaty which followed.

Going back a century and a half from the events last named, we find the first item in the history of Bangor. Soon after the landing of the Pilgrims

on Plymouth Rock, or indeed a few days previous to their actual placing foot on shore, by charter dated November 3, 1620, King James granted to "the Council of Plymouth" "all the territory between the 40th and 48th degrees of north latitude from sea to sea." This, of course, embraced all of the present territory of Maine and New England, and by its terms extended from the Atlantic to the Pacific. Whether the king had any such actual idea of the "seas" is another question, and practically is of no importance, for, with few exceptions, the grant was subsequently abandoned, and no advantage taken of it. Before its abandonment, however, the company made several subordinate grants, and more especially in Maine.

One of these grants, thus made by the company, was to Beauchamp and Leverett, bearing date "the 13th day of March, in the first year of the reign of Charles, by the grace of God, King of England, Scotland, France, and Ireland, &c., Anno Domini 1629," and the land to the west of it was retained by the company. The description of the tract thus granted was in somewhat ambiguous language, as follows, namely: "All and singular those lands, tenements, and hereditaments whatsoever, with the appurtenances thereof, in New England aforesaid, which are situated, lying, and being within or between a place there commonly called and known by the name of Muscongus, towards the south or southwest, and a straight line extending from thence directly ten leagues up into

the main-land and continent, there towards the Great Sea, commonly called the South Sea, and the utmost limits of the space of ten leagues on the north and northeast of a river in New England aforesaid, commonly called Penobscot, towards the north and northeast and the Great Sea, commonly called the Western Ocean, towards the east, and a straight and direct line extending from the most western part and point of the said straight line, which extends from the Muscongus aforesaid towards the South Sea, to the utmost northern limits of the said ten leagues on the north side of the said river Penobscot, towards the west."

This tract of land, thus dubiously described, included what was substantially afterwards known as the "Waldo Patent," embracing the present counties of Waldo and Knox and a part of Lincoln, bounded on the north by the present north line of Winterport, extended westerly to the line between Troy and Burnham.

Soon after this grant was made, Beauchamp died, and Leverett also in 1649. The grant, however, still remained alive, and was treated as an object of bargain and sale, and the legal titles of the present holders of estates within its limits all find their origin derived from it.

During the long time which elapsed between the date of this grant in 1629 and its next appearance, more than a century and a half afterwards, the title came into the ownership of Brigadier-General Samuel Waldo, of the British army,

who died its owner; and at his death the title went to his children, one of whom was the wife of Thomas Flucker, whose daughter Lucy married General Henry Knox, of such well-known fame as an officer of the army in the Revolution, and subsequent member of General Washington's cabinet.

In behalf of the heirs of General Waldo, General Knox at once took measures to secure and make permanent the title by moving on to the land and establishing his home upon it at Thomaston, where he continued afterwards to reside until his death. In furtherance of the same purpose, he preferred a petition to the legislature of Massachusetts for a recognition and confirmation of the grant thus made one hundred and fifty-six years before, as already described. This the legislature assented to by appropriate resolve, bearing date July 4, 1785, in which an intelligible description of the land is given, evidently intended to be identical in territory with the original grant to Beauchamp and Leverett, the terms of which are recited and the object of its confirmation plainly set forth. In both resolves the contents are alike represented as being a "tract of land equal to a tract of land thirty miles (or ten leagues) square."

Soon after this resolve was enacted, it was ascertained that the tract specified in the resolve of 1785, and as surveyed by the committee, "did run into the Plymouth Patent, which is a prior grant, and lay off a certain part of said Plymouth grant

to said heirs and others as a part of said thirty miles square of land," whereby a deficiency was produced. Whereupon the heirs again petitioned the legislature for redress, to have such deficiency supplied, setting forth in their petition "that it was understood by them and the legislature, at the time of passing said resolve in 1785, that the said thirty miles square of land was to be laid off and assigned to them absolutely, and free and clear of any such interference."

In accordance with the prayer of this petition, the legislature, by two resolves, bearing date respectively the 17th and 23d day of February, A. D. 1798, granted the prayer of the petitioners, and authorized Thomas Davis to cause a survey to be made and the amount of the deficiency to be ascertained, and the deficiency to be supplied by a deed "of so much of the land belonging to this commonwealth, at the head or north end of the tract, already assigned said heirs and others conformable to a resolve of the 4th of July, 1785, as shall be equal in quantity to the amount of said interference." The resolve further provided that the land to be granted to supply the deficiency should extend the whole length of the north line of the "Waldo claim," "so far as the commonwealth's land adjoins thereto, and in form of as nearly equal width as may be, so that said heirs and others so interested, by this addition to the quantity already assigned them, shall become seized and possessed of a tract of land equal to a tract

thirty miles square." The resolve also provided that lots not exceeding one hundred acres to each settler who should be settled on any such lands as might be embraced within the limits of the new conveyance should be excepted, "and not be considered or taken to make up the deficiency, but the said settlers who are not already quieted by law shall hereafter be quieted in their settlements in such manner as the General Court shall direct."

This resolve having been passed, Mr. Davis at once entered upon his duty, as provided by the resolve, and caused the tract to be resurveyed by Lothrop Lewis, appointed for the purpose, who reported "that there is within the present line of the Waldo Patent 503,740 acres of land, and that there are 72,260 acres wanting, to make the whole equal to a tract of land thirty miles square." It was further ascertained that "there was not sufficient unappropriated land belonging to the commonwealth, north of the Waldo Patent, to make up such deficiency;" and it was thereupon agreed by the parties that the heirs and others interested should accept the lands which the commonwealth had in that quarter in full of their claim, according to the conditions of the resolve.

This survey and agreement having been made, Mr. Davis, in behalf of the commonwealth and by authority of the resolve, made a deed to Henry Knox, bearing date July 20, 1799, conveying to him in fee, "for himself and all others interested in said Waldo Patent, all the lands belonging to the

commonwealth in the following towns, lying north of the Waldo Patent, to wit: Townships Nos. 1 and 2 in the first range (No. 1 being now Hampden), and Townships Nos. 1 and 2 in the second range (No. 1 being now Bangor), excepting, however, lots occupied by any settler on said assigned lands, not exceeding one hundred acres to each settler, as specified in said resolutions." By a subsequent resolve, dated February 26, 1799, Mr. Davis was remunerated for his services in the sum of five hundred dollars.

Just here, one can hardly fail to be surprised at the generous, not to say remarkable, conduct of the legislature in performing the acts now detailed. That they should be willing to recognize as binding a grant made one hundred and fifty-six years before, in ante-revolutionary times, by one corporation to another, under royal authority, which they had just then successfully resisted, is certainly a most marked and singular exercise of conscientious conviction, to use no more emphatic language. But when, added to all this, we find the donees of the legislative favor coming again to the legislature, and demanding that their grant, thus generously confirmed, should be made good by supplying a deficiency which the original grant was subject to, and that this second demand was complied with, one can hardly find words to express his surprise and astonishment. But remarkable as is the statement, it is nevertheless true, and the city of Bangor and the neighboring towns, through this act of

"justice," have their original distinctive land titles. A principal reason of these successive favors probably is to be found in the fact that Henry Knox was the party applicant, a man of New England and Massachusetts home, who had so bravely fought for his country, and had so faithfully served as the first secretary of war in the cabinet of President Washington.

In the interim between the original resolve of 1785 and the subsequent ones of 1798, the territory north of Waldo Patent, the north line of which was the present north line of Winterport, had been run off into ranges, extending east and west, and into townships by lines drawn north and south, extending from Penobscot River to the Plymouth Company lands, as before explained. In running the range lines, as is customary in such cases, directly from the river in a straight line west, the surveyor measured up the river six miles, and then six miles further, and at these places made his starting-point, from which his range lines should extend. As the river ran at an angle of about 45° or 135° with the north line of Waldo Patent, the range lines which were drawn parallel with and six miles distant from this and from each other were obliged to diverge as they approached the river, thus accounting for the unusual form in which the towns of Bangor and Hampden are at present found, a portion of what would naturally belong to Hampden being given to Bangor, and a larger portion of the latter being given to Orono.

By the deed already described, executed by Mr. Davis in behalf of the commonwealth, General Knox became possessed of the title of the four towns of Hampden, Newburgh, Bangor, and Hermon, subject to the settlers' rights, who by the resolve and deed were to be quieted in their possessions to the extent of one hundred acres each, so laid out as to accommodate or cover their improvements. As in many cases the inhabitants had located themselves near to each other, it became a duty of much delicacy and difficulty to designate the lines and boundaries of each man's possession and title. The towns of Bangor and Hampden had already become not only quite thickly inhabited, but both incorporated, and the two other townships had more or less inhabitants to quiet. As yet, however, no single person had any other than a "squatter" title to his home and farm. The duty of performing this trust, thus secured by the resolve, was imposed upon Park Holland, a surveyor who had then established a high character as such, and who did his duty faithfully and to his lasting credit. As he established the boundaries of the lots taken up by the settlers, one after another, he gave each an appropriate certificate, which served as a voucher for a subsequent deed from the appropriate state officer, the latter placing the certificate on file for future use in case of doubt about the lines as established. The lots thus run out absorbed the entire river front, and covered almost or quite the whole of the thickly settled parts of Bangor and Hampden.

The certificates thus given were for a long time safely kept on file in the land office of Massachusetts, and were often referred to as the best evidence in cases of disputed boundaries, which in subsequent years became numerous and important. They were, however, missed, and years afterwards were found by the agent of Maine, sent thither to receive the land office records of Maine lands, among the sweepings of the wood closet, awaiting the next day of cleaning to be consigned to the dump heap or the bonfire. They are now, however, safely deposited in the state land-office at the Capitol, with all the other records pertaining to the public lands in Maine, a most precious and valuable acquisition.

Plans of the several towns were then made by Mr. Holland, containing the lots laid out to the several settlers in each, which plans are also among the valuable collection of documents already described.

After the deed made as now described by Mr. Davis to General Knox and the lotting by Park Holland, the general sold all the remainder of the four towns to Benjamin Bussey, of Roxbury, Mass., by deed dated October 16, 1804. Mr. Bussey subsequently caused all the vacant lands to be surveyed and lotted, and plans made by Rufus Gilmore, and then placed the whole on the market for sale, under the agency of Captain Samuel Lowder and his son of the same name. The lots were all gradually taken up and settled on, while very

many were subdivided as occasion required, until the present order of things has been brought about, and the city of Bangor and its prosperous neighbors have arrived at their present status of growth and population.

ARTICLE X.

MEMOIR OF NATHAN CLIFFORD.

By JAMES WARE BRADBURY.

Read before the Maine Historical Society, Portland, November 16, 1881.

MEMOIR OF NATHAN CLIFFORD.

The eminent jurist Nathan Clifford, who has recently deceased, was a member of our society; and I have been requested to repeat this evening the remarks I made on the occasion of the adoption of resolutions by the Bar in the United States District Court in this city a few weeks ago in recognition of the distinguished services and character of the deceased.

My apology for the repetition is, that I do it in compliance with the request of those whose wishes I feel bound to consult.

After a man has been many years in public life, after his acts, words, and principles have become familiar to the national eye and mind, it is difficult to realize when his last final summons comes that such a man has quitted forever the scenes in which he had been so prominent and conspicuous a figure.

It is difficult to feel that a man like our venerable friend is no more to preside over the deliberations of this court, and that the administration of justice in this circuit is no longer to feel the guiding influence of his sure and practical mind.

He had become one of the most trusted, distinguished, and useful public servants which the country had in its employ.

His robust health and iron constitution, his vigorous tone of thought and unimpaired faculties, at the beginning of the year 1880, had inspired his friends with confidence that some years of judicial usefulness were yet reserved for him in the highest court of the land.

The principles and rules of practice in that great tribunal had become so familiar to him that it was hoped by the Bar of the country that a few more years of judicial life might enable him to bequeath, by daily contact with his brethren, the great wealth of exact, practical, legal knowledge which his long experience, great labors, and vigorous powers had given him.

But in the inscrutable wisdom of Providence it was otherwise determined. A great judicial career is closed. The venerable judge has gone to his final rest, followed by the affectionate remembrance of all to whom he was personally known, and by the grateful benedictions of his country.

My acquaintance with Mr. Clifford commenced when he first entered upon the practice of his profession in Newfield in 1827, while I was engaged in the study of mine in a neighboring town. He was a member of the Legislature at its first session in Augusta in 1832, and we boarded together in a private family. Agreeing in political sentiments and having many tastes in common, our acquaintance ripened into life-long friendship.

Our associates and fellow-boarders were the late John C. Talbot, a most honorable and excellent gentleman, and Dr. Moses Sweat, a distinguished physician from the county of York.

Nathan Clifford was a son of New Hampshire, a State that has been prolific in able men. He was born August 13, 1803, in the town of Rumney. His ancestors, who were of English origin, came to this country in early colonial times, and settled in New Hampshire. His grandfather served as an officer throughout the Revolutionary War. His father was a respectable farmer, in such limited circumstances as to be able to do little more than to provide comfortable subsistence for his family. His mother is represented as a woman of unusual energy and strength of character, and the family circle, in which he imbibed his early impressions, was one where industry and economy were inculcated, and the principles of morality were exemplified and taught. The means of education in the country towns were then extremely limited. The course of instruction in the common schools was meagre, and the terms comprised only a few winter months, when the children could be spared from work on the farms. In these schools young Clifford received the rudiments of such instruction as they could afford, until at the age of fourteen he resolved to obtain a more liberal education than could be acquired at home, and after gaining the consent of his parents, he became a pupil in the Academy at Haverhill, where he remained three

years, subject to the interruptions for school-keeping to provide the means for his own support.

The struggles of his life at this early age undoubtedly developed his innate energy, self-reliance, and force of will, and disciplined him for his future career.

He subsequently spent a year in the Literary Institution in New Hampton.

The three broken years at Haverhill, and one at New Hampton, completed his academic education.

At the age of eighteen he entered the office of Hon. Josiah Quincy, a prominent lawyer of Grafton County, as a student-at-law, and pursued the study of his chosen profession with his characteristic assiduity, and was admitted to the Bar of the Supreme Court of his native State in May, 1827.

He immediately moved into the State of Maine, opened an office in Newfield in the county of York, and entered upon the practice of his profession.

He was a young man of fine personal appearance, of good address, cordial in his manner, and prompt in his attention to business, and he soon established himself in the confidence of the community.

He early showed a taste and capacity for public life and qualities for leadership, and acquired prominence in the Democratic party to which he was attached.

In 1830 he was elected to the House of Representatives of the State Legislature, from a district in which his party was largely in minority.

His constituents continued to require his services for three more successive elections. He took a prominent part in the business and discussions of the House, and soon became a leading member.

In 1833 he was chosen Speaker, and he received a reëlection the following year to the same honorable position.

In 1834 he was appointed Attorney-General of the State, and faithfully performed the duties of that office for several years.

In 1838 he was elected a member of the House of Representatives of the Twenty-sixth Congress from the first Congressional District in the State. He was now in a sphere much to his taste. His previous service in the Legislature made him familiar with parliamentary law, and his great industry had enabled him to become thoroughly conversant with all the public questions of the day.

I do not propose to go into a history of Mr. Clifford's congressional life. It is sufficient to say that he was placed by the speaker, Mr. R. M. T. Hunter, upon the important Committee on Foreign Affairs, that he took part in the exciting and protracted debate upon the admission to membership of the claimants from New Jersey, that he showed himself to be a strong yet cautious debater; full of information upon the subjects on which he spoke, and a laborious, influential, and useful member during the four years of his congressional life.

His speech upon the tariff in 1842 was elaborate and able.

While with his broad views as a thorough Union man the whole Union was his country, he was never unmindful of the special interests of his State. In 1840, when a portion of the territory of Maine, clearly ours under the Treaty of 1783, had been invaded and occupied by force under the authority of the British government, he was active in his efforts to awaken an interest in Congress in behalf of the State, and procure national aid to repel invasion and maintain its jurisdiction and rights.

At that time in our history it was not the usual custom in the North to continue our representatives long in Congress, but rather to enforce the practice of rotation after a second election.

The policy more generally pursued in the South of continuing their able men for a long time in Congress enabled them to become familiar with the rules and methods of proceeding, the details of business, and subjects for action, and gave them advantage over new members of equal ability but less experience from the North.

Mr. Clifford, however, proved himself equal to every occasion. He commanded the respect of the House and the confidence of his constituents, and at the close of his second term he retired from public life and returned to the practice of his profession. His career in Congress was eminently honorable to him, and he had become a prominent man in the politics of the State and the nation.

In 1846, a few months after my election to the Senate, the office of Attorney-General of the United States became vacant by the resignation of Mr. Mason, and my feelings of friendship for Mr. Clifford prompted me to make the effort to obtain from the President his appointment to that office. Upon consultation with my colleague, Senator Fairfield, he with Judge Rice and two or three other gentlemen united with me in the effort.

This was undertaken without the knowledge of Mr. Clifford, and the appointment was made without any solicitation or action on his part whatever. I have his letter now before me, written as soon as he heard of the movement, in which he says he had not thought of the office. I think it proper to refer to this transaction as conclusively repelling any imputation of office-seeking by him,—a charge not unfrequently made against our public men.

He became a member of the Cabinet of President Polk in October, 1846, and he was there associated with Buchanan, Marcy, Robert J. Walker, Cave Johnson, and John Y. Mason, — a Cabinet embracing men eminent for ability and intellectual power.

During the trying period of the Mexican War, questions of grave importance were constantly arising that called for great discretion and wisdom and the exercise of true statesmanship on the part of the Executive and his constitutional advisers.

The prosecution of the war, by which we obtained as an indemnity from Mexico the vast ter-

ritory in the West, of which California and her sister States since added to the Union were a part, was vigorously sustained by the President and all the members of his Cabinet, and by none with more zeal and ability than Mr. Clifford.

So, too, the exciting contest that followed upon the attempt to agree upon governments for the territory acquired, that shook the Union to its centre, devolved upon the administration a vast weight of responsibility and labor.

In this Cabinet of able men the Attorney-General proved himself to be an efficient officer and a judicious adviser; the peer of his associates, securing the unqualified confidence of the President, who often took occasion to speak of him in strong terms of commendation and friendship.

During the unsettled state of affairs in Mexico, the sudden death of Mr. Sevier, on his way to that country as commissioner, called for a new appointment of some person intimately acquainted with the views of the administration and its policy in reference to matters that might arise between the two countries, and at the earnest desire of President Polk Mr. Clifford accepted the commission.

After the establishment of peace he remained in that country under a new appointment as envoy extraordinary and minister plenipotentiary.

As Mr. Clifford's public life was identified with the administration with which he was connected, I may be permitted to add that the administration of President Polk, when considered in view of the

results attained, must be regarded as one of the most important in the history of our republic.

It ranks side by side with the administration of the immortal Jefferson, under which was made the vast acquisition of Louisiana and the western valley of the Mississippi.

The territory added to the Union during the presidency of Mr. Polk is simply enormous, — in round numbers 900,000 square miles, — and much of it abounding in agricultural and mineral resources almost unequaled. It is double that of both the Austrian and the German empires together.

It is equal in extent to that of Great Britain and Ireland, France, Spain, Portugal, Italy, and the Austrian Empire.

Texas alone contains over 274,000 square miles, and the State of California, which embraces but a small portion of the territory acquired under that name, is estimated to contain 157,800 square miles.

Texas was admitted as a State in the Union December 29, 1845, and the question of its admission was an issue in the political campaign of 1844, which resulted in the election of Mr. Polk; and we acquired California and New Mexico by the treaty with Mexico of February 2, 1848.

I find the following estimate of areas, which although not entirely accurate are sufficiently so for comparison : —

	Square miles.
Texas	274,530
California	157,800
New Mexico	121,200
Colorado	104,500
Nevada	112,090
Utah	84,476
Arizona	113,512
Total	968,108
Great Britain and Ireland	120,879
France	204,090
Spain	177,791
Portugal	36,510
Italy	114,196
The Austrian Empire	240,943
Making in all	894,409

To realize the stupendous importance of the acquisitions made under the administrations of Jefferson and Polk we have only to consider what would have been the present condition of the United States without them, and possibly reduced to the Alleghany Mountains for our western boundary.

But for the negotiations which resulted in the acquisition of Louisiana from France, England, then at war with that nation, could have seized that vast region, and with the love of extending her authority which has ever characterized the Anglo-Saxon, if she had felt that the territory watered by the tributaries of the Mississippi naturally belonged to the power owning and control-

ling its mouth, we were then too weak and exhausted to have resisted the claim.

Again, if Texas had not become a part of the Union, and had remained an independent nation under the proffered protection of England, she could have offered a rallying point and a flag, and a navy by her ally, that might have changed the result of the recent attempt at secession.

In the discharge of the delicate duties of these offices Mr. Clifford acquitted himself in his usually successful manner.

In 1849 he returned from Mexico and removed to Portland, making that city the place of his subsequent residence. Here he resumed the study and the practice of his profession on a broader field than his former residence presented, applying himself to become familiar with every department of the law.

But he had not yet entered upon the great work of his life, — that upon which his fame is to rest, and by which he has established a claim upon the lasting gratitude of his country.

In 1858 he received from President Buchanan the appointment of justice of the Supreme Court of the United States. He immediately entered upon the duties of that office, and he held it until his death on the 25th day of July last, a period of twenty-three years.

When he took his seat on the Bench he carried with him a fixed determination, as he always did in every position that he assumed, to make himself equal to the place.

With a strong mind and a retentive memory he possessed the power of application and the ability to labor which few men in any age have ever shown.

He was at once assigned to the first circuit, comprising the States of Maine, New Hampshire, Massachusetts, and Rhode Island, — a circuit of prominent importance from the magnitude, variety, and number of cases arising, and the ability of the Bar. It is said that the profession throughout the country were long accustomed to look to the first circuit as a high source of instruction in Federal jurisprudence. No circuit judges were then, nor until several subsequent years, authorized to be appointed. The district judges were most of them of advanced age, and there was a great accumulation of cases upon the docket, some of them of long standing, which needed to be disposed of. An enormous amount of labor was consequently thrown upon the new judge, who determined to clear the docket as soon as it could practically be done.

He undertook the task as a conscientious duty, and he applied himself to it with all his energy and with untiring labor for several years until the work was accomplished. The entire year, when not employed in attendance upon the Supreme Court at Washington, was spent in the discharge of his circuit duties, with hardly a day of vacation.

He entered upon the trial of cases with the conscientious purpose of arriving at a right decision,

and he spared no labor to make himself master of the facts and of all the law bearing upon the questions under consideration.

He was courteous and patient, yet prompt and decided, combining the good temper and dignity that secured the respect of the Bar and the confidence of suitors.

It is not so much in the administration of the law that justice is done, as it is that it is also so done as to satisfy the defeated party that he has had a fair trial, and that the facts and arguments on his side have been candidly considered. Few judges have succeeded better in this respect than Judge Clifford. The care and attention he bestowed gave assurance that he was seeking to do right and to avoid the possibility of mistake.

So careful was he to avoid the possibility of acting under the influence of any bias that he has been known in a case where his own opinion would have been final, where the circuit judge was disqualified to act, to send out of the State for a judge to sit with him, so that the case might be carried up to the Supreme Court upon a division of opinion, which could not be otherwise done.

His opinions and decisions upon the circuit, contained in the four volumes of "Clifford's Reports," edited by his son, William H. Clifford, Esq., are evidence of the mental character, the ability and great legal research and learning of the judge. They embrace decisions upon admiralty, marine, and commercial subjects of prominent importance;

and our patent laws received his special attention, and were expounded with the skill of a master in that department of jurisprudence.

His opinions as a member of the Supreme Court are distributed through forty-one of the volumes of the Reports of that court. They are numerous as well as long and learned, characterized by exhaustive research and ability, and a thorough examination of all the authorities bearing upon the questions under consideration.

They are absolutely collections of every authority, English and American, and sometimes more than these, that cast any light upon the subject discussed. But with all the rich and varied stores of learning in the grasp of his retentive memory, he was never bewildered in methodizing his materials. He was so thoroughly imbued with the great cardinal principles of both law and equity that the multitude of adjudicated cases produced no embarrassment in their classification and arrangement; but in his disciplined mind the decided cases seemed to arrange themselves by a kind of natural affinity under the different principles from which they sprung and of which they were the practical exposition.

His argumentation was not concise nor hasty. It moved with a firm, assured, and steady pace to the conclusion; and when this had been reached there was no occasion for a review. The whole harvest of authority had been gathered and presented.

These opinions in the cases where he announced the decision of the court, and where he differed from the majority, constitute a record upon which his fame can safely rest. It will be hard to find a judge whose opinions are more uniformly sound, and where the conclusions reached more generally commend themselves to the legal mind of the country.

His dissenting opinion upon the legal tender question is already approved as sound law by a large portion, if not a large majority, of the ablest men in and out of the profession. He could never believe that Congress possessed the constitutional power to authorize the discharge of a debt contracted when coin was the only lawful money, by an act subsequent to the contract, by legal tender paper worth less than the money of the contract.

When theories of government were indirectly involved in a case, he manifested his prepossessions, and was always true to his convictions. In the celebrated case of Judge Edes, petitioner for the writ of habeas corpus, he with Judge Field denied the right of Congress to punish judges of a State for the manner in which they discharge their duties under its laws. He believed such power to be dangerous and unauthorized.

The Constitution as it stands, interpreted according to the obvious meaning of its language, was the chart for the guidance of his course in all matters arising under that instrument. He believed in a strict construction of it; that it was

designed in wisdom as a law over the lawmakers, limiting and setting bounds to their authority, so as to prevent the usurpation of power dangerous to the republic.

In his view it was not an elastic instrument, to be enlarged or impaired by construction, but to be fairly interpreted according to its terms, and sacredly maintained in all its provisions and limitations, as the best if not the only guaranty for the perpetuity of our republican institutions.

By careful study and long and intimate association with the most intelligent and cultivated society, his strong and vigorous mind and habit of careful observation enabled him to overcome the deficiencies of his early education.

While well informed upon other subjects, and particularly upon those that relate to our own country and government, he was especially learned in the law.

He loved legal study and investigation. To this he applied himself with the energy of a devotee. He was wedded to the philosophy of the science of which the legal profession is the student and the exponent. He liked to trace the history of judicial decisions down through successive years, and examine the manner in which the great minds of the law regarded the operation of those principles that affect the relations and rights of men. He liked to follow out these fundamental principles as they appeared in their decisions, and to imbue himself with their spirit.

By his power of application, his unparalleled ability for continuous labor, and his conscientious devotion to duty, he was enabled to accomplish his grand life-work and achieve the character of a great jurist.

No man ever devoted himself more thoroughly to his duty. He labored in season and out of season, by night and by day, allowing no diversion from his work. The only exception for years was for an excursion into the country for two or three days in a year.

Study was his recreation; and even in his vacation he would be at his books in his magnificent library at four o'clock in the morning.

An instance of his unmatched application to the business in hand came under my observation. Some fifteen years ago I was engaged in a case on trial before the judge, and a question of law of some importance was raised before the adjournment of the court in the afternoon, upon which he would be called to instruct the jury. On the following morning, after an analysis of the evidence, he alluded to the question of law, and remarked that he had put his instruction on that question in writing to avoid any possibility of being misunderstood, so that either party might have the benefit of a distinct ruling. After laying down the law as he understood it, he read a most elaborate and learned discussion of the question, so full and so well fortified that neither party would think of carrying the case further.

After the case was disposed of I inquired of the judge when he found time to prepare such an opinion. He replied that he went into his library the evening before, and got interested in the question, and the work grew upon him so that he did not get through with it until five o'clock in the morning.

While acting as Chief Justice during the illness of Chief-Justice Chase, he prepared and delivered nearly or quite forty opinions at a single term of the court.

Upon the death of the Chief Justice, it was the expectation of many of the American Bar that, notwithstanding differences of political belief, a person so eminently fitted as Judge Clifford was would, by the mere force of his fitness, become the president of that court. No appointment could have reflected more honor upon the appointing power, and none could have more effectually preserved the court from the imputation of being constituted partisan in its character.

It is unquestionably true that Judge Clifford's days were shortened by his devotion to what he regarded to be duty. Whatever needed to be done within his power to do, he felt it his duty to undertake.

The sudden death of the lamented Judge Shepley entailed, as he regarded it, an immense accumulation of work upon himself; and after a long and exhausting session at Washington, without any rest he entered upon the hearing and adjudi-

cation of a mass of grave and difficult cases upon the circuit, and applied himself unsparingly until the docket was cleared. The effort was far beyond even his power of endurance. His health never fully recovered from this terrible strain upon its resources.

It may be said with truth that he sacrificed his life to his sense of duty. No man was ever more capable of calmly and cheerfully making the sacrifice if he deemed it incumbent upon himself to do so. But his overtaxed system at last yielded to the crushing burden. His hitherto unfailing bodily strength became exhausted, and his overstrained mind, in sympathy with the body, suddenly lost the command of language and power of intelligent expression, while retaining to a considerable extent the capacity of reasoning and reflection, and neither ever recovered their normal condition.

He lingered with his friends for a few months, and then calmly laid down his life near the scenes of his early manhood, whither he had desired to go, and passed peacefully to his final rest, and to Him in whom he most sincerely and devoutly believed.

It has been well said that such a life is an inspiration and an example for the young. It illustrates the truth so beautifully expressed by the illustrious poet who has become the pride of America as well as of this his native city.

> "The height that great men gained and kept
> Was not attained by sudden flight,

But they, while their companions slept,
Were toiling upward in the night."

But I must not omit to notice the unanimous selection of Judge Clifford to preside over the deliberations of the Electoral Commission in 1876. It was a notable admission of entire confidence in his abilities and character. His decided views as a Democrat were familiar. It was known that he believed Mr. Tilden was rightfully elected. It was plain that the president of the commission could exert great power to protract its sessions by legal objections beyond the time for the accession of the new Executive. Yet all parties were unanimous in designating him as preëminently the man to be intrusted with this great responsibility, because they all knew that in him his judicial habits of mind, with unswerving purity of purpose, would lift him wholly and completely above the dusty atmosphere of politics in his rulings and action as presiding officer, and show him to be the impartial judge. The issue proved that all had judged right.

This is not the occasion to criticise the action of that commission or the propriety of its decision. The events are fresh in the public mind, and some of the actors still survive. While Judge Clifford agreed with the minority upon the questions presented for decision, and felt the profoundest conviction that they were in the right, he presided with such dignity, fairness, and ability as to command universal approbation. He came forth from that trying ordeal with no stain upon his ermine,

and with honors which all concurred in awarding him.

In a country and under institutions like ours, it is essential to the permanence of our government that we should be able to produce not only great and able but good and trusty men for the public service. If to have met the requirements of a great variety of exalted public stations with abundant ability, with unexampled devotion to duty, and with a strong and elevated purpose, constitutes greatness, then Judge Clifford takes rank among the great and useful men which our institutions have produced.

Judge Clifford crowned his high character as a jurist with a life of unsullied purity and integrity. He was happy in his domestic relations. Early in life he was married to the wife who has been his congenial, affectionate, and constant companion for more than fifty years. She has sweetened his labors by her presence, and rendered the aid which a good wife and mother alone can do, in rearing successfully a large family of children, who venerate her character and delight to return her affection.

In the family circle Judge Clifford was a congenial companion, a kind father, and an affectionate husband. He has left to his family and his country the priceless legacy of a noble character and a useful life, and has earned a name entitled to be enrolled amongst those of illustrious jurists as a great, learned, and incorruptible judge.

ARTICLE XI.

GRAMMATICAL SKETCH OF THE ANCIENT ABNAKI

OUTLINED IN THE DICTIONARY OF FR. SEBASTIAN RÂLE, S. J.

PART I.—THE ABNAKI NOUN.

BY REV. MICHAEL CHARLES O'BRIEN.

READ AT THE MEETING OF THE MAINE HISTORICAL SOCIETY, AT PORTLAND, DECEMBER 23, 1882.

GRAMMATICAL SKETCH OF THE ANCIENT ABNAKI.

The paper which I have the honor of reading before you contains the partial results of a study undertaken with the view of tracing the grammatical structure of the ancient Abnaki, the aboriginal language of our State.

It embraces only so much of the general subject as is necessary for treating of the Abnaki noun. But even this portion of the study will occupy so much time that I shall be obliged to omit the historical and literary information which is usually introduced into a paper of this kind.

The treatment of this study which alone I consider satisfactory is of a nature so purely grammatical and philological that I should doubt about its adaptation to the objects of an historical society, if the subject did not touch so closely upon an interesting portion of the history of the State, and, in some of its phases, had not already engaged the attention of the Maine Historical Society, and occupied so considerable a space in its publications.

My principal sources or materials for the study

are the "Dictionary of the Abnaki," written by Father Sebastian Râle, S. J., and the old Indian prayers and catechism, yet in use (in a modified form) among the Penobscots and Passamaquoddies, which very probably are the work of the same author.

The field has been already traversed by other students, but so little has been gleaned from it that it may be said to be yet almost untouched.

The dictionary was in the hands of Duponceau and Pickering and others of less note, but it has hitherto remained a sealed book so far as the grammatical outline of the aboriginal language of Maine, which may be read in its pages, is concerned. The little catechism, which the Indians call from its first question, the *Aweni Kisi hoskesa* (Who made thee?), and the old formulas of prayer have been published by Fathers Demilier and Vetromile, and are extant in manuscript in the handwriting of the former. These serve chiefly as illustrations, and supplement in several particulars some of the deficiencies of the dictionary, which is my main authority.

This dictionary consists of about 7,500 distinct Abnaki words, with the meanings of nearly all of them in French; but on every page it contains grammatical notes, examples, and Indian phrases. These phrases would fill a dozen or more pages of foolscap paper. The grammatical notes consist not merely of marks of singular and plural, indications of moods, tenses, and persons, but also several short grammatical observations in Latin.

Scattered as all these bits of information are up and down the pages, and applied to so many different words, they at first only bewilder the curious reader. But when the words to which they are severally appended are classified and compared, and the principles of grammatical induction are introduced to complete the process, they furnish at least an outline, more or less distinct, of the grammar of the language to which they refer. Of a certain portion of the grammar, that especially to which this paper will extend, the outline is very clear and full. Until such an outline shall be studied, the language of the Abnakis will continue to remain the puzzle it has been hitherto, notwithstanding all that has been written and published concerning it.[1]

Akin to this subject, if not forming properly a part of it, is the subject of the formation of words in Abnaki, and the meaning of their generic component parts; but however interesting this might be, especially as affording an opportunity of accounting for some of our geographical names of Indian origin, I shall confine myself for the present to questions of mere grammar.

[1] It would appear that some library in Canada possesses valuable materials in manuscript for the study of the Abnaki. L'Abbé Maurault, in his *Histoire des Abenaquis* (pp. 501–5), mentions a *Vocabulaire Abnakis* of P. Aubery, a *Dictionnaire de Racines Abnakises*, of 900 pages, left by P. Lesueur, besides treatises, sermons, and instructions by the same author. This much is mentioned as having been yet extant in 1866, a great deal more having been lost in a fire which destroyed the chapel of the Abnakis at St. Francis in 1759.

At any rate, the solution of these questions is a necessary preliminary to the inquiry into the structure of the words.

A paper of this kind is ordinarily dry reading and tedious to listen to, especially at the hands of one who is unskilled in the art of imparting to it any accidental enhancement; but it is to be hoped that its novelty, if not its connection with the history of our State, will compensate for its want of direct interest.

The grammatical system of American languages is so different from those of the Indo-European and Shemitic families, that a new grammatical terminology has been found necessary to describe it. In this paper, however, I shall restrict myself almost entirely to terms which have been already employed by writers on the cognate languages, and which are familiar to students of this sort of lore.

The general subject naturally divides itself into the four usual parts of grammar, — orthography, etymology, syntax, and prosody. For even the accents and length or brevity of syllables have to be taken into account; and Catholic missionaries have tried to adapt the language to the measures of the Gregorian chant in use in the liturgy of the Church. However, we are chiefly concerned with the second part, etymology, or the parts of speech, and their respective inflections.

For much respecting the alphabet and orthography used by Father Râle I must content myself with referring my readers to the notes of the

learned editor of the dictionary, although I am of the opinion that they contain a few errors, and need to be supplemented in several important particulars.[1]

[1] The alphabet employed by Father Râle consists of the following letters : —

a, b, d, e, g, h, i, j, k, m, n, o, p, r, s, t, 8, z, and *ñ* (nasal), and the pause or aspirate, '.

Upon these letters I remark, —

1st. *J* occurs only in foreign words such as *Jesus ; g* is always hard except in one word, *angeri*, an angel.

2d. The Greek χ (*chi*) is equal to *kh*, and is interchanged with it, as in *a8ikhigan* and *a8iχigan*, a book.

3d. There is no *l ;* whereas in none of the modern representatives of the Abnaki is there an *r*, but *l* is used invariably where Râle employs *r ;* so that with this change Râle's dictionary is generally intelligible to a modern Penobscot. The names *Norombega* and *Orono* would seem to indicate that this change of liquids, so characteristic of Indian dialects, took place within a century.

4th. The vowels (including the 8, where it is a vowel) have the Italian sounds.

5th. This 8, which is nothing else than the Greek contract of the diphthong *ου*, pronounced *oo*, takes the place of our English *w* and the Italian *u*. It is *w* before a vowel, and *u* before a consonant and at the end of a word.

6th. The *ñ* with two dots over it, which I call the nasal *n*, is a sign that the syllable which it affects (either at the beginning or end) must receive a nasal utterance. It will consequently give rise to a sound varying according to the letter which follows.

Before a labial it will be almost an *m*, as in *Arenaübe*, an Indian (or Abnaki). In other situations it will resemble the nasal *n* in French, as in *sañgemaï*, a chief, out of which the English made "sagamore."

It appears to have been employed in many cases by Father Râle to express the nasal sound that is produced by giving a distinct utterance to the vowel *a* before 8, as in *añ8di*, a path. On the whole, it cannot be regarded as a letter so much as a diacritical mark.

7th. The letters *ts, tz* generally stand for *tch* or *ch*, sharp in English (as in *match* and *church*), for which the French have no corre-

I now pass to my main subject, which is the etymology of the (ancient) Abnaki noun.

sponding sound. This I infer not only from the pronunciation by the modern Penobscots and St. Francis Indians of the words in which these letters occur in the dictionary, but from the geographical names found in the dictionary, either in full or in their roots. The only examples which occur to me at present are :—

Matsibig8ad8ssek, Matchibigaduce (Castine).

Messats8ssek, Massachusetts.

Narañts8ak, Norridgewalk.

Tsebigek, Chebeague.

The first three of these names occur in the dictionary in full, and the last in its root. If we can infer that the English pronunciation of these words approximated to the original Indian, it follows that the letters *ts* and sometimes *tz* in the dictionary are to be pronounced like *tch* or *ch* in English. There are, however, a few words, and only a very few, in the modern Penobscot, in which the sound of *ts* occurs, as *metsi*, late, and even this appears to be a contraction of *mētĕssi*.

8th. The Greek mark of aspiration, (‘), which so often occurs in the middle of words in the dictionary, judged by the modern pronunciation seems to indicate a pause in the utterance rather than an aspiration. This pause, always coming after a vowel, naturally gives rise to an aspiration, and in many cases to a guttural sound, which has been sometimes represented by *k* and *hk*. Writers in the Micmac indicate the corresponding sound in that language by a *k* out of perpendicular, as may be seen in Maillard's Grammar. Examples of this pronunciation in Abnaki are *ne mo'sañtsin*, I love (him), *ned arĭ'ra*, I go, *aro'sse*, he comes.

9th. There are only two diphthongs : *ai*, pronounced like the same in German, or *aye*, yes, in English, and *au*, pronounced like *ow* in how, cow. Examples : *ned Arenaïibai*, I am an Indian, an Abnaki; *nisankau*, the abstract number 12. *Aĩ*, with a circumflex, is pronounced as the same combination in the French, as in *faire*.

I have indulged in these remarks on the alphabet because they seemed necessary in part to correct errors and in part to supplement omissions in Mr. Pickering's notes to the dictionary.

Upon the whole, I regard the system of orthography used by Father Râle as one of the best I have seen employed by any writer on these languages.

With the exception of the occasional use of the *e* mute of the

THE PARTS OF SPEECH.

The parts of speech are: the noun, pronoun, verb (including concrete numbers), which are inflected; and the adjective, adverb, preposition, conjunction, and interjection, which are uninflected, or inflected only by some of the minor changes which, as we proceed, will become known by the name of accidents. Thus the language has all our parts of speech except the article. The absence of the indefinite article is common to many languages with it, and needs no explanation. The concrete numeral for one (*pesek8*) is often employed for it, as in Hebrew.

The want of the definite article is compensated for by particles, pronouns, and especially by a great variety of verbal and participial forms, which latter denote not only the number, as in Greek and Latin, but also the person of the nouns with which they agree.

THE NOUN.

The properties of the Abnaki noun can be conveniently described under the two general heads of *Classification* and *Inflection.*

I. *Classification.*

By the classification of nouns is meant the dis-

French, and the use of *ts* for *tch*, and the employment of nasal *n* where a diæresis would suffice, it is almost perfect. Such as it is his system is uniform and constant, and, with the exceptions above mentioned, could hardly be improved upon for the purpose of representing the sounds of the surviving dialects of the Abnaki.

tribution of all objects into two general classes, which Father Râle calls respectively "noble" and "ignoble" objects. This distribution takes the place of gender in most, if not all, of the languages of the American continent. This is true at least of all the languages of the Algonkin, or, as they are more appropriately called by Schoolcraft, the "Algic" family, to which the Abnaki belongs. Gender is a grammatical property entirely unknown to them. They have words to distinguish the sexes, but nothing corresponding to our *he*, *she*, and *it*, and their different cases, as such. This explains why Indians, when they attempt to speak English, make such sad havoc of our pronouns. A man will sometimes speak of a woman as "he," "his," and "him," whilst a woman will apply the feminine pronouns to a man. In their own language the pronouns, both personal and possessive, are the same for both sexes.[1]

The rules of classification are the following: —

1. To the *noble* class belong the names of all living objects and of trees. Hence nouns of this class are called by some writers nouns *animate*, and the corresponding verbs, verbs *animate*.

2. To the ignoble class belong the names of all inanimate objects. Hence these nouns may be called *inanimate*, and the corresponding verbs, *inanimate* verbs.

[1] It is not a little remarkable that this want of grammatical gender is characteristic of the Basque, the language, as Whitney says, "without affinity in Europe," of the Magyar or Hungarian, and the Turkish, both languages of Asiatic origin.

3. Quite a number of objects which are inanimate by nature are raised to the grammatical rank of noble objects, and their names treated grammatically like the names of living or naturally noble objects.

The only reason I can discover of this distinction is the esteem in which the objects were held, or the superstition with which they were regarded.

Usage is the only law which determines what inanimate objects are thus ennobled. In Râle's dictionary the following classes of words are noble : —

1. The names of the sun, moon, and stars, and of months, as *gis8s*, the sun, *gis8s nibasset*, the moon, *gis8s*, a month.

2. The ornaments and principal articles of dress in ancient use, as *8añbañbi*, bead work, wampum; *8rg8ana*, a bird's wing; *8rg8anigan*, feather of the wing; *a8ip8n*, feather of the bird's tail; *kañ8i*, the quill of the porcupine. Under this head come the names of the valuable fur skins, which were all noble, whilst the skin of the moose was ignoble.

3. Certain domestic utensils, and some of the materials for the construction of the wigwam and canoe.

Examples: *8rañde*, a dish made of bark; *sedi*, the branch of the fir-tree; *pekahan*, the bark of the fir used in covering the wigwam; *angem*, the snow shoe.

4. The tobacco weed and the fruits and berries that were most useful for food.

5. Almost all the articles of food and clothing and religious articles imported by traders and colonists.

6. A few of the members of the human body, as *maümanak*, the eyebrows.

7. Probably it was for superstitious reasons that *saagigem*, a wart, *tseg8ar*, a cancer, *pem8e*, a boil, and the names of some diseases were put into the noble class.

A full list of these exceptional words could be easily made from the dictionary. It is sufficient for my purpose to indicate here their classes.

A knowledge of the class to which an object belongs is necessary in order to speak of it correctly in Abnaki. For it is by the class, whether noble or ignoble, to which it belongs that not only its inflection in number, conjugation, and accidents is determined, but its agreement with pronouns and government by verbs. In a word, this distinction of noble and ignoble objects is the ruling principle in the whole system of Abnaki inflections, and this is the characteristic of the entire linguistic family to which it belongs.

II. *Inflection.*

The Abnaki nouns are inflected by number, conjugation, and accidents. Whatever explanation this nomenclature requires will be given under each of the inflections.

I. *Number.*

The Abnaki noun has two numbers, the singular and plural. In most languages number in verbs corresponds to number in nouns, but Abnaki verbs have two forms of the plural, which I call the *plural* simple and the *perplural*. It will be sufficient to state here that the first describes the act or state of only a few, three or four at most, whilst the second, the perplural, implies the act or state of a greater number.

The following are the rules for the formation of the plural: —

I. Nouns of the noble class form the plural generally by the addition of *-ak* to the singular, and nouns of the ignoble class by the addition of *-ar*.

Examples: —

1. *Noble Objects.*

Singular.	Plural.
Arem8s, a dog.	*Arem8sak*, dogs.
Néman, a son.	*Nemanak*, sons.
A8ansis, a child.	*A8ansisak*, children.
Títĕgeri, a screech owl.	*Titegeriak*, screech owls.
Tĕg8, a wave.	*Teg8ak*, waves.

2. *Ignoble Objects.*

8ig8am, a cabin.	*8ig8amar*, cabins.
Temahigan, an axe.	*Temahiganar*, axes.
Ta8ap8di, a seat.	*Ta8ap8diar*, seats.
Peg8assabem, a pond.	*Peg8assabemar*, ponds.

II. Nouns that end in *e* drop this vowel before, or rather change it into, *a* of the plural increase.

Examples: —

1. *Noble Objects.*

Arenañbe, an Abnaki.	*Arenañbak*, Abnakis.
Seenañbe, a man.	*Seenañbak*, men.
P8débe, a whale.	*P8debak*, whales.

2. *Ignoble Objects.*

Hage, the body.	*Hagar*, bodies.
8asa8e, pumpkin.	*8asa8ar*, pumpkins.

III. Monosyllables, with a diphthong or long vowel, and ending with a consonant, and dissyllables and even trisyllables which have the penult long or accented, make the plural in *8k* and *8r*, according to their class, instead of in *ak* and *ar*.

Examples : —

1. *Noble Class.*

M8s, a moose.	*M8s8k*, moose.
Ka8s, a cow.	*Ka8s8k*, cows.
Pēnem, a woman.	*Pēnem8k*, women.

2. *Ignoble Class.*

Sîg8at, a bone.	*Si8ad8r*, bones.
Ag8îden, a canoe.	*Ag8iden8r*, canoes.
Madêgen, a skin.	*Madegen8r*, skins.

IV. Nouns of the ignoble class that end in *k8* or *g8* form the plural merely by the addition of *r*.

Examples : —

Bak8, an herb.	*Bag8r*, herbs.
Penapsk8, a stone.	*Penapsk8r*, stones.
Mta8ak8, the ear.	*Mta8ag8r*, ears.
Skar8nesk8, shot.	*Skar8nesk8r*, grains of shot.

Observations : 1. A few words of the noble

class, with this ending, make the plural in *8k* instead of *8ak*, or in both, as *p8p8khan8ik8*, *sêˆtag8*.

In modern Penobscot and St. Francis dialects none of the words which form the plural in *8k* and *8r* (*ol*) have the 8 fully sounded in the singular.

2. It will be observed that, in the examples given under the rules III. and IV., *k* and *t* of the singular are changed respectively into *g* and *d* before the plural increase, except where *k* is preceded by *s*, as in *pcnapsk8*. This euphonic change takes place in all inflections, both of nouns and verbs.

V. There are several nouns which are used only in the singular, as *8assañri*, snow, *mek8ampak*, wine; others only in the plural, as *pedangiak*, thunder; others, again, that have a collective or general meaning in the singular, have a distributive sense in the plural, as *abaïn*, bread, *abainnak*, loaves of bread; *pek8ami*, ice, *pek8amiak*, icicles.

Participial nouns, which are nothing else than the participles of verbs, form their plurals according to the verbal conjugation to which they belong, and come under the head of verbs.

II. *Conjugation.*

I take the terms "conjugation" and "accidents," as here used, from the "Études philologiques sur quelques langues sauvages de l'Amérique," by the learned Sulpitian, M. Cuoq (Montreal, 1866), to whose writings on the Algonquin I am much indebted for the light which they shed on our ma-

terials for the study of the Abnaki. Under the heads of conjugation and accidents comes the question of case, or what corresponds in these languages to case in the languages of Europe.

What M. Cuoq says of the Algonkin, namely, that its nouns "are conjugated, not declined," is equally true of the Abnaki. By this it is not meant that they have the functions of verbs, or have mood and tense in the same sense that verbs have them, but that their inflection in connection with pronominal marks is like the inflections of the verbs which correspond to them in class and govern them.

Besides, it will be seen that nouns have temporal accidents, so that a verbal signification seems to be implied in them.[1] This view of the nature of the Abnaki noun seems to receive confirmation from F. Râle's dictionary, where the plural nominative case of address is in one place (ad voc. *compagnons*) described by the appellation of the "Imperative." For the understanding of this part of our subject, it will be necessary to anticipate the exposition of the pronouns, and explain here the *personals*, or the marks of the personal and possessive pronouns.

THE PERSONALS.

1. There are three personals: *ne*, *ke*, and 8 (or *a*). Their use is to indicate the pronouns, both per-

[1] For a fuller explanation of the verbal nature of the Indian noun, I refer to a paper on the Algonkin verb, by Hon. J. Hammond Trumbull.

sonal and possessive. *Ne* stands for the first person, *ke* for the second, 8 for the third. They are the same for both numbers.

They resemble in several respects, even in sound, the suffix pronouns in Hebrew, but differ from these in being prefixed. Like these they appear to be contractions of separate forms. *Ne* or *n'* is contracted from *nia*, I, and *ni8na*, we; *ke*, or *k'*, from *kia*, thou, and *ki8na*, and *kir8a*, we and you; 8 from *8a* or *88a*, this (one). This last personal presents a little difficulty, inasmuch as the separate personal pronoun of the third person is *égema*, he, and its plural *égema8a*, they.

2. It is by means of the personals that nouns, and, in some of their moods, verbs, are conjugated. Placed before nouns the personals are equivalent to our possessive pronouns, *my*, *thy*, *his*, *her*, *its*, *our*, *your*, *their*, as the nature of the word may require. Before verbs they are equivalent to our personal pronouns, *I*, *thou*, *he*, *she*, or *it*; *we*, *you*, *they*, as the sense may require; for, as I have already mentioned, in Abnaki the same pronoun stands for *he* and *she* and *it*, when *it* stands for a noble object.

3. But, whereas in English, and in most of the other languages, there is only one sign for the first person plural, both in personal and possessive pronouns (*we*, *our*), Algic dialects have two first persons plural, which, after Cuoq and Bishop Baraga, I distinguish by the names *exclusive* plural and *inclusive* plural.

This phenomenon escaped, for a long time, the comprehension of students of Indian languages. Eliot and Zeisberger do not even mention it in their respective grammars, yet there is no doubt as to its presence both in the Massachusetts and the Delaware. Duponceau had observed the phenomenon, and called these plurals the "particular" and "general" plural, respectively, yet even he failed to understand their difference. In the dictionary, examples of these plurals occur in a few places, with their translations carefully distinguished (ad voc. *corps*, *rôti*). The following is the rule for their use: —

When the speaker includes in the plural the third person, but excludes the second, he employs the pronoun *ni8na*, and its personal *ne* or *n'*; but when he includes the second person with or without the third, he uses *ki8na* and its personal *ke* or *k'*. In the first case the plural is composed of the speaker and some other person or persons, to the exclusion of the person spoken to, and means *we*, not including *thou* or *you*; in the second, the plural is composed of the speaker and person or persons spoken to, whether the predicate is common to others or not, and means *thou* or *you*, and *I* or *we*. Perhaps the best illustration of this usage is by algebraic terms, thus: —

Exclusive plural = first person plural — second person singular or plural; but inclusive plural = first person (singular or plural) + second person singular or plural.

The exclusive plural, notwithstanding its name, may include all people except the person or persons addressed, whilst the inclusive plural may embrace only the speaker and the person spoken to.

Very appropriate examples of the exclusive plural are given in the Lord's Prayer and Hail Mary, where the "our" of the Our Father and the petitions that follow excludes God, who is addressed, and Holy Mary is excluded from "us sinners." The inclusive plural offers no difficulty.[1]

4. The personals undergo euphonic changes occasioned by the initial letter of the following word; when the following word begins with a vowel (except 8), *d* (or *t*) is inserted between the personal and vowel, as, *a8ikhigan*, a book, *ned a8ikhigan*, my book; *a8ansis*, a child, *ked a8ansis*, thy child; *ag8iden*, a canoe, *8d ag8iden*, his canoe.

5. Before words beginning with 8 no euphonic letter is inserted, and the vowel of the personal coalesces with this 8, as, *n'8tahangan*, *k'8tahangan*, *8tahangan*, my, thy, his, paddle, from *8tahangan*, a paddle.

Observations: 1. Instead of 8 for the personal of the third person, Father Râle in several places uses *a*, particularly before words beginning with *p* or 8, as, *a 8ig8am*, his cabin.

[1] The difference between the inclusive and exclusive plurals is pretty well explained in the *Kimzo8i A8ikhigan* (Learning Book), from which extracts are published in vol. vi. of publications of the Maine Historical Society.

2. In several words, chiefly words beginning with *k* and *sk* in their separate form, he inserts *da* between the personals (the third included) and the noun, as, *kikkañn*, a field; *neda kikkañn*, my field; *skañpet8*, a trail; *keda skañpet8*, thy trail. It is possible that such words had this vowel originally, and lost it in the unconjugated form, whilst retaining it after the personals. This at least would appear to be the case with *ki*, the earth, which was *aki* in the Massachusetts and Algonkin languages.

The same rules govern the union of personals with verbs as their union with nouns.

F. Râle and the writers on Abnaki since his time have united the personal with its noun or verb, as if it formed one word with it. I presume the reason is that, like the Hebrew suffix pronouns, these personals are never used except in conjunction with a noun or verb. Baraga and Cuoq, and others among more recent writers, have written them separately in the kindred languages, and, because this method is one more conducive to clearness, if for no other reason, I shall conform to it.

From these explanations I proceed to give examples of the conjugation of each of the two classes into which nouns are divided. Two examples of each class will be sufficient, one of a word beginning, and one of a word ending, with a vowel.

Examples of conjugation: —

I. *Noble Objects.*

Arem8s, a dog.

	Singular.	Plural.
	Ned arem8s, my dog.	*Ned arem8sak*, my dogs.
	Ked arem8s, thy dog.	*Ked arem8sak*, thy dogs.
	8d arem8sar, his or her dog.	*8d arem8sa*, his or her dogs.
Excl. 1.	*Ned arem8sena*, our dog.	*Ned arem8sena8ak*, our dogs.
Incl.	*Ked arem8sena*, our dog.	*Ked arem8sena8ak*, our dogs.
2.	*Ked arem8se8añ*, your dog.	*Ked arem8se8añk*, your dogs.
3.	*8d arem8se8ar*, their dog.	*8d arem8se8a*, their dogs.

Our next example will illustrate how thoroughly an English word may be disguised in an Indian grammatical dress.

Ahass8, a horse.

	Singular.	Plural.
1.	*Ned ahass8*, my horse.	*Ned ahass8ak*, my horses.
2.	*Ked ahass8*, thy horse.	*Ked ahass8ak*, thy horses.
3.	*8d ahass8ar*, his horse.	*8d ahass8a*, his or her horses.
1.	*Ned ahass8na*, our horse. *Ked ahass8na*, our horse.	*Ned ahass8na8ak*, our horses. *Ked ahass8na8ak*, our horses.
2.	*Ked ahass88añ*, your horse.	*Ked ahass88añk*, your horses.
3.	*8d ahass88ar*, their horse.	*8d ahass88a*, their horses.

II. *Ignoble Objects.*

1. *A8ikhigan*, a book.

1.	*Ned a8ikhigan*, my book.	*Ned a8ikhiganar*, my books.
2.	*Ked a8ikhigan*, thy book.	*Ked a8ikhiganar*, thy books.
3.	*8d a8ikhigan*, his or her book.	*8d a8ikhiganar*, his books.

1.	*Ned aɤikhiganna*, our book.	*Ned aɤikhigannaɤar*, our books.
	Ked aɤikhiganna, our book.	*Ked aɤikhigannaɤar*, our books.
2.	*Ked aɤikhiganɤa*, your book.	*Ked aɤikhiganɤar*, your books.
3.	*ɤd aɤikhiganɤa*, their book.	*ɤd aɤikhiganɤar*, their books.

2. *Taɤipɤdi*, a table.

1.	*Ne taɤipɤdi*, my table.	*Ne taɤipɤdiar*, my tables.
2.	*Ke taɤipɤdi*, thy table.	*Ke taɤipɤdiar*, thy tables.
3.	ɤ *taɤipɤdi*, his or her table.	ɤ *taɤipɤdiar*, his or her tables.
1.	*Ne taɤipɤdina*, our table.	*Ne taɤipɤdinaɤar*, our tables.
	Ke taɤipɤdina, our table.	*Ke taɤipɤdinaɤar*, our tables.
2.	*Ke taɤipɤdiɤa*, your table.	*Ke taɤipɤdiɤar*, your tables.
3.	ɤ *taɤipɤdiɤa*, their table.	ɤ *taɤipɤdiɤar*, their tables.

IRREGULAR NOUNS.

There are several words beginning with *m*, which drop this letter on receiving the personals.

These words are mostly names of members of the human body, and of articles of domestic use. A list of these could be readily drawn up for a full grammar of the language; for the present it will be sufficient to subjoin some examples: —

Metep, the head, becomes (1) *n'etep*, (2) *k'etep*, (3) *ɤtep*, etc.
Meretsi, the hand, becomes *n'eretsi*, *k'eretsi*, etc.
Mañɤe, the cheek, becomes *n'añɤe*, *k'añɤe*, *ɤañɤe*, etc.
Mibit, a tooth, becomes *n'ibit*, *k'ibit*, *ɤibit*, etc.
Mirarɤ, the tongue, becomes *n'irarɤ*, *k'irarɤ*, *ɤirarɤ*, etc.
Masse, bed-clothes, becomes *n'asse*, and *ned asse*, etc.
Medor, a craft (boat), becomes *n'edor*, etc.

Many of these words are seldom or never used without the personal, and hence the modern In-

dians have in some cases lost the ancient form in which they were employed separately.

To illustrate the propriety of calling this inflection of nouns by the name of "conjugation," I will here present an example of the inflection of verbs in the indicative mood, present tense.

I. *Noble Objects.*

Singular.

1. *Ne namiha ned angem*, I see my snowshoe.
2. *Ke namiha ked angem*, thou seest thy snowshoe.
3. 8 *namihaür* 8*d angemar*, he sees his snowshoe.

1. { *Ne namihanna ned angemena*, we see our snowshoe.
   { *Ke namihanna ked angemena*, we see our snowshoe.
2. *Ke namiha*8*añ ked angeme*8*añ*, you see your snowshoe.
3. 8 *namiha*8*ar* 8*d angeme*8*ar*, they see their snowshoe.

Plural.

1. *Ne namihañk ned angemak*, I see my snowshoes.
2. *Ke namihañk ked angemak*, thou seest thy snowshoes.
3. 8 *namiha* 8*d angema*, he sees his snowshoes.

1. { *Ne namihana*8*ak ned angemena*8*ak*, we see our snowshoes.
   { *Ke namihana*8*ak ked angemena*8*ak*, we see our snowshoes.
2. *Ke namiha*8*añk ked angeme*8*añk*, you see your snowshoes.
3. 8 *namiha*8*a* 8*d angeme*8*a*, they see their snowshoes.

II. *Ignoble Objects.*

Singular.

1. *Ne namit*8*n ne temahigan*, I see my axe.
2. *Ke namit*8*n ke temahigan*, thou seest thy axe.
3. 8 *namit*8*n* 8 *temahigan*, he sees his axe.

1. { *Ne namit*8*nena ne temahiganna*, we see our axe.
   { *Ke namit*8*nena ke temahiganna*, we see our axe.

2. *Ke namitɛna ke temahiganɛa*, you see your axe.
3. ɛ *namitɛna* ɛ *temahiganɛa*, they see their axe.

Plural.

1. *Ne namitɛnar ne temahiganar*, I see my axes.
2. *Ke namitɛnar ke temahiganar*, thou seest thy axes.
3. ɛ *namitɛnar* ɛ *temahiganar*, he sees his axes.

1. { *Ne namitɛnenaɛar ne temahigannaɛar*, we see our axes.
   { *Ke namitɛnenaɛar ke temahigannaɛar*, we see our axes.
2. *Ke namitɛnar ke temahiganɛar*, you see your axes.
3. ɛ *namitɛnar* ɛ *temahiganɛar*, they see their axes.

III. *Accidents.*

We come now to the accidents, the third kind of inflections which Abnaki nouns undergo. The accidents of nouns are, all but one, certain affixes and changes at the end of words which modify their signification. They stand sometimes for an adjective, sometimes for a preposition, and occasionally for a whole phrase, in English, and, to some extent, for declension in Latin. For each change they make in the noun, there is a corresponding change in the verb.

The nominal accidents are: 1. the possessive; 2. the diminutive; 3. the vocative plural; 4. the past; 5. the obviative; 6. the locative. I have followed, in denominating them, M. Cuoq, already mentioned. They will require to be explained in separate sections.

1. The Possessive.

Besides the personals, the Abnaki has a sign of more special connection with an object, the nearest

approach to which is the adjective *own* in English, as in, *in one's own house*. This mark consists in the addition of *m*, *em*, or 8*m*, to the singular of nouns and in treating thereafter the word thus formed as a primitive word.

Examples : —

Ned arem8s, my dog. *Ned arem8sem*, my (own) dog.
Ne senañbe, my man. *Ne senañbem*, my (own) man, husband.

The euphonic rules for affixing this accident to nouns are : —

1. To affix only *m* to words ending in a vowel ; *em* to words ending in a consonant, and 8*m* to words that make the plural in 8*k* or 8*r*. Examples of this last case are : *ne pe'nem8m* (literally) my woman, but employed only to designate a *man's* sister ; 8 *sig8ad8m*, his bone ; 8*d ag8iden8m*, his canoe.

2. This accident is affixed to conjugated nouns only, nouns combined with personals. Its effect is often to distinguish names of members of the human body from the members of the same name in animals, as 8 *bakkan8m*, his blood, *i. e.*, the blood of his own body, etc.

3. When once words have received this accident, they retain it in all their inflections, and are treated as primitive words ending in a consonant.

Examples : —

	Singular.	Plural.
1.	*Ne senañbem*, my husband.	*Ne senañbemak*, my husbands.
2.	*Ke senañbem*, thy husband.	*Ke senañbemak*, thy husbands.
3.	8 *senañbemar*, her husband.	8 *senañbema*, her husbands.

2. The Diminutive.

The diminutive is the affix *is* or *sis*, placed at the end of words in the singular, and conveying the idea of small or little in English, or of the termination *kin* in mannikin. It is sometimes used as a patronymic, as a term of endearment, and not infrequently to express contempt.

The rules for affixing this accident are analogous to those which I gave for the possessive. *Is* is employed for the diminutive of words ending in a consonant or in 8 (which, in that case, is pronounced like our *w*), and *sis* for the diminutive of nouns ending in a vowel.

Examples: —

Arem8s, a dog.	*Arem8sis*, a little dog.
Temahigan, an axe.	*Temahiganis*, a little axe.
Penapsk8, a stone.	*Penapsk8is*, a pebble.

But nouns that make the plural in 8*k* or 8*r*, and do not end in 8 in the singular, make the diminutive in 8*sis*, as, *peʿnem*, a woman; *peʿnem8sis*, a little woman; *ag8iden*, a canoe; *ag8iden8sis*, a little canoe.

In a few cases the diminutive is in *imis*, which form seems to include the possessive mark, as *kiabimis*, an orphan, from *kiabes*.

The diminutive may be double to convey the idea of still smaller dimensions, as, *ag8iden8sisis*, a very small canoe (a trinket).

As an example of the signification of endearment expressed by the diminutive, take the follow-

ing from Father Râle: "*Perabain* 8e8essin8is *ke Jess8issemena*, Potestne dici quan exquisitus homo sit *Jesulus* noster."

Once formed, diminutives are treated in all respects as primitive nouns.

3. The Vocative Plural.

With the exception of a few words to be mentioned below, the vocative singular of Abnaki nouns is not different from the nominative.[1] But to express the vocative plural the syllable *t8k*, *d8k*, or *8t8k*, is added to the singular. As already intimated, Father Râle calls this accident the "imperative" (ad voc. *compagnon*), and in fact it is the same in form as the second person plural of the imperative of a certain set of verbs.

Examples: —

Ts8es, a companion.	*Ts8esd8k*, O companions.
A8ansis, a child.	*A8ansist8k*, O children.
Senañbe, a man.	*Senañbet8k*, O men.

T8k, or *d8k*, is the accident of the vocative plural in all nouns except those which make the plural in *8k* (or *8r*). The latter take *8t8k*, as *pe'nem8t8k*, O women.

The exceptions with a vocative singular are the colloquial and family names: —

[1] Duponceau (Notes to Eliot's grammar) fancied he had discovered in the Lennilenape a vocative singular, but his examples are all participles of verbs, which shows how far the celebrated Indian scholar was from understanding his specialty. Participles can and must be often employed to express our nominatives of address, but they do not for that become nouns.

Mitañg8i, my father, from *mitank8s*, a father.
N'iga, my mother; *niga8s*, my mother.
M8s8mi, and *m8sm8m*, my grandfather; *n'8kemi*, grandmother, from *mosemis* and *okemis*.
N'a, my husband or my wife, equal to *n'a*, he or she.

4. The Past.

The accident of the past in nouns is a certain syllable appended to a noun to signify that the person whose name (or office) it modifies is absent, dead or missing, or the thing whose name is similarly affected is damaged, lost, or destroyed. To render this point clearer I will give examples at once. Thus, *patriañs*, a priest, missionary, with this accident becomes *patriañsa*, or *patriañsga*, a former priest (now gone or dead); *a8ikhigan*, a book, *a8ikhigané*, the book that was but is lost or destroyed.

There are four forms of the past found in the dictionary: *a* added to nouns of the noble class, and *e* to nouns of the ignoble class, as in the examples given; *ga* added to nouns of both classes, and *ban* or *pan*, which are the endings of the past tense in verbs. Father Râle gives examples of the first three in nouns proper, but of the fourth only in participial nouns. On the first two he gives grammatical notes in the "Particulæ," the purport of which I have just endeavored to convey. Here now are further examples: —

Niben, summer; *nibené*, the summer past.
N'esit, my foot; *temesans8e n'esité*, my foot is cut off.
8ig8am, a cabin; *8ig8amé*, a fallen cabin.

8ibit, his tooth; *peg8atsire 8ibité*, his tooth has fallen out.

Narañts8ani, plural *-ak*, a dweller or native of Norridgewalk; *Narañts8anigak*, the Norridgewalks of long ago.

Ke mitañk8se8aga, plural *-gak*, your deceased father, fathers.

Ke patriañsmena, our missionary; *ke patriañsmen8gak*, our deceased missionaries.

Ked akina8e, our lost land, the name by which the modern Penobscots call the territory of their ancestors.

Mari Sosepisk8e, Mary, the wife of Joseph; *Mari Sosepisk8epan*, who *was* the wife of Joseph.

The following are the rules for affixing the three forms of this accident: —

1. *A* and *e* are used only in the singular.
2. *ga* and *pan* are used both in the singular and plural.
3. Frequently *a* is added even to *pan*, in speaking of deceased persons.

Observations: 1. Although I find no instance of it in Râle, analogy would lead to the inference that there was another sign of the past in nouns, namely, the interrogative or dubitative past. Such a form is found in verbs, and is called the "preterite" by Râle. It consists in the endings *assa*, *essa*, *issa*, or *8ssa*. It survives in the modern Penobscot and St. Francis dialects. An example of this form would be the phrase, *Ke sañgemañ8aassa?* Was he your chief? — from *sañgema*, a chief.

2. Under the word *mort* occurs another form of the past, which consists in the addition of *mañda*, the negative adverb, and the prefix of *e* or *8e*, to the noun. This mode of expression is obsolete in the Penobscot, if it ever existed in it, and I have not discovered its parallel in any of the kindred languages.

The *mañda*, or negative, is sufficiently intelligible, but the prefix I can only conjecture from the analogy of the verbs. The instances in which this form of expression occurs are evidently formulæ which Father Râle had composed for recommending to the prayers of his flock the souls of deceased members. For example: *Kepañbatama-8e8anna N. 8edaren8m, tai 8nitsanna,* We (let us) pray for N., a deceased brother, and his children. Here the prefix *8e* in *8edaren8m* is the sign of the past.

A similar prefix is found in the participles of verbs, and most generally is a relative mark, that is, implying *who* or *which.* From this I infer that as nouns have the accident of tense as in the examples given above, they also had a participial relative form, of which the phrases referred to are instances.

5. The Obviative.

The obviative is an accident which affects nouns of the noble class only, and these only in certain situations in the phrase or sentence. For nouns in the singular, it consists in putting *r* instead of the *k* of their plural in conjugation; and for nouns in the plural, in dropping the final *r* from the obviative of the singular. Examples will be given with the situations referred to, which are: —

1. When nouns are connected with the third personal 8, as in the conjugation of *arem8s, 8d arem8sar,* his dog; *8d arem8sa,* his dogs.

2. When the noun is the object of the action of

another noun of the noble class, as, to use Râle's examples, —

1. *Ak8irda8aïr sa8angan namesar*, the eagle swoops down upon a fish. *Namesar* is the obviative singular from *names*. 2. *Ed8dermiaked Jes8s, 8d erērmani eᶜto angeria?* does Jesus love the angels so much as he loves us? Here *angeria*, from *angeri* in the singular, is in the obviative plural.

3. When the verb has two objects of the noble class, one direct and the other indirect, both are in the obviative after a verb in the third person, and at least one is in the obviative after a verb in the first or second person. Examples: 1. *Assaï 8miranar 8nemanar abanar*, John gives his son bread; where the words for son and bread are in the obviative, bread being a noble object. 2 (from Râle). *Arenañbar ned assamannar a8ehande8ak*, I expose a man to wild beasts; where the word for man is in the obviative. It may occur to some to think that the well-known accusative is all that is meant by the obviative, and that the Latin endings in *am, em, um* correspond to the Abnaki *ar* and *8r*. It will be sufficient to answer that the obviative is a mark, or accident, which distinguishes nouns only in connection with third persons, whereas the Latin accusative may follow any of the three persons. Thus whilst I can say, *Ne moᶜsaïtsin Ketsi Ni8esk8*, I love the Great Spirit (Amo Deum), I must say *Pier 8 moᶜsaïtsinar K. Ni8esk8ar*, Peter loves the Great Spirit (Petrus amat Deum).

Observation: The kindred languages, the Chip-

peway (or Otchebwe), the Algonkin, and the Cree have an additional affix to distinguish the third person in the phrase. M. Cuoq calls it the "sur-obviative," Lacombe the "relative," and Baraga the *third* 3d person. I can find no trace of a corresponding accident in the Abnaki. Its absence would doubtless lead to some confusion if usage did not give a meaning to words from their position in the sentence.

6. The Locative.

The locative is an accident which answers in signification to most of the prepositions in European languages, its signification varying with the verb in the phrase. Its name suggests local "He" in Hebrew, but its equivalent is found only in the Hebrew preposition syllables. This accident appears in one of its forms in several of our geographical names, and in all those ending in *keag* and *cook*, like Kenduskeag, etc.

There are two forms of it in the singular of nouns and one in the plural; but they occasion euphonic changes according to the endings of the words to which they are appended.

I. *-k* and *-ge* added to the nominative are the locative affixes, in the singular, of words ending in a vowel; and *-ek* and *-ege* of words ending in a consonant. In the plural it is *ik8k* or *8ik8k*. The full meaning of this accident can be best conveyed by examples:—

Ki, the earth, ground; loc. *kik*, in or on the earth.
Spemki, heaven; *spemkik*, or *spemkige*, in heaven.
Kandeski, Bangor; *kandeskik*, or *kandeskige*, in or at Bangor.
Kis8s, the sun; *kis8sek 8tsipate*, it dries in the sun.
Abassi, a tree; *anga8ate abassik*, it is shady under a tree.
Abassi, a post; *ned assidebiran abassik*, I tie him to a post.
Pek8ami, ice; *ned 'rikdai pek8amik*, I leap on ice.
Pañbatami-8ig8amik8, a house of prayer, temple; *8skitran Jes8sar matsk8 pañbatami8ig8amig8k pita spemek*, Satan placed Jesus on the top of the temple.
8 tep, his head; *nedertehañ 8 tepek*, I strike him on the head.

2. Examples of the plural: —

8dene, a village; *ne ki8dai 8denaik8k*, I go around from village to village (among the villages).
8ig8am, a cabin; *arenañbak ai8ak 8ig8amik8k*, the men are in cabins.
Senañbe, a man; *senañbeik8k*, among men.
Pe'nem, a woman; *pe'nem8ik8k*, among women.

On account of the similarity with the affixes here given, I put under this accident *ge* and *ke* frequently appended to nouns of the noble class without a local signification. Of these Râle says that *ge* is equivalent to the Latin *apud*, and *ke* to the Latin *ex*.

Examples: —

1. *Pres*, a pigeon; *presege ergir8k*, as large as a pigeon; *psipenege arig8*, is like garlic, from *psipen*, garlic; *a8akange ned 'rihoge*, I am treated as a slave, from *a8akan*, a slave.
2. *Ketsi nit8esk8inn8ke k. nit8esk8inn8*, God from God; *Bagadasem8inn8ke bagadasem8inno*, Light from light; *N'hagakke ketetebermer*, Je t'estime autant que ma personne.

Among the locative marks there remains to be

mentioned the affix *-inek*, which I find only in the translation of the angelical salutation, "Hail Mary," *k'ϑtsinekϑitañbamekϑssi pe'nemϑinek*, Blessed art thou amongst women. It is the same in signification as the termination *-ikϑk*, in the examples given above.

To illustrate more fully the locative affix, I subjoin a conjugated noun in the locative.

ϑigϑam, a cabin, home.

Singular.

1. *N'igϑamek*, in my cabin.
2. *K'igϑamek*, in thy house.
3. *Aϑigϑamek*, in his house.

1. *N'igϑamnϑk* (*-ak*), in our house; *k'igϑamnϑk* (*-ak*), in our house.
2. *K'igϑamϑañk*, in your house.
3. *Aϑigϑamϑañk*, in their house.

Plural.

1. *N'igϑamikϑk*, in my houses.
2. *K'igϑamikϑk*, in thy houses.
3. *Aϑigϑamikϑk*, in his houses.

1. *N'igϑamikϑϑañk*, in our houses; *k'igϑamikϑϑañk*, in our houses.
2. *K'igϑamikϑϑañk*, in your houses.
3. *Aϑigϑamikϑϑañk*, in their houses.

Observation: It is worthy of remark that the marks of the locative ending in *k* and *ge* have a striking resemblance to the present participle and present suppositive respectively, of neuter and impersonal verbs, and that *ikϑk* differs but very little from the present participle of a whole set of verbs,

which may be called verbs of plenty. I make this observation because it tends to confirm the view I have already intimated of there being a verbal meaning latent in the Abnaki noun.

With the locative ends the list of inflections to which the noun is subject.

CASE.

From the foregoing it will be inferred that the only inflections in Abnaki that correspond to case in English are the inflections of "conjugation" by which the possessive case may be expressed, but is not necessarily, and the "locative," corresponding to the objective case, chiefly as following certain prepositions. The inflection of the "obviative" is not so much to distinguish the object and subject in the phrase, although it serves to do that in some sentences, as to distinguish nouns of the noble class and third person coming together in a certain relation.

In conjugation, so far as it corresponds to the possessive, it will be observed that it is not the name of the possessor but of the object of possession that is inflected, as is the case in Shemitic languages.

Apart from these changes there is no inflection for case, and consequently the noun is the same in the nominative and objective. The verbal system is such as to dispense almost altogether with prepositions, or combine them with verbs in such a way as to express complex relations without change in the subject or object.

POSTSCRIPT.

The paper here given attempts to describe the grammar of the Abnaki, chiefly so far as it may be gathered in the writings of Father Râle, but the same principles apply to the modern Penobscot, the St. Francis, and St. John dialects, and to a great extent also to the Passamaquoddy. The chief change necessary to make the language of Father Râle's time intelligible to an intelligent member of any of the tribal branches above mentioned is to substitute the letter *l* for *r* in all words where *r* occurs.

Besides this change I may mention that the tendency of the modern dialects is to use the vowel O, which is rarely found in Father Râle's dictionary, for the 8 as a vowel, which is so frequently used, either as a vowel or a consonant.

ARTICLE XII.

EDWARD GODFREY:

HIS LIFE, LETTERS, AND PUBLIC SERVICES,

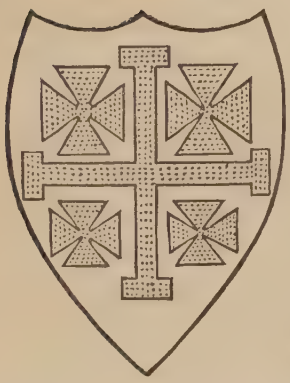
1584–1664.

By CHARLES EDWARD BANKS, M. D.

Read before the Maine Historical Society, at Portland, May 25, 1881.

EDWARD GODFREY:

HIS LIFE, LETTERS, AND PUBLIC SERVICES.



In the western part of the county of Kent, at the parish of Westerham, rises a little stream navigable for small boats only, called the river Darent, which runs by a dozen small boroughs to Dartford, where it is known as Dartford Creek.[1] About a mile below this town it is joined by the river Cray, and empties into the Thames. A short distance from this river, southward of and adjoining Dartford, lies the parish of Wilmington,[2] on the high road from London to Dover, seventeen miles from the great metropolis. This parish is in the ecclesiastical jurisdic-

[1] Saxon, Tærente-fort, which became Darent-ford and Dartford. Rev. Josse Glover speaks in his will of property he owned in Durend. (*Genealogical Register*, xxiii. 136.)

[2] Wilmington was not mentioned in the *Survey of Domesday*, but stands included in the account of the ancient demesne of the king's manor of Dartford, whereof it was an appendage, in the Hundred of Axstane. In the *Textus Roffensis* it is called Wilmentuna and Wilmintune.

tion of the diocese of Rochester and deanery of Dartford, and contains a church dedicated to St. Michael, which stands on the knoll of a hill, a conspicuous object for many miles around.[1] At the southwest portion of Wilmington, in a hamlet called Barnend, there lived during the last quarter of the sixteenth century one Oliver Godfrey, gentleman, who had born to him by his wife Elizabeth ten children, of whom four were sons. It is not at present known how long this family had resided there, and no evidence is yet available to establish kinship with any of the numerous families of the same name who were living at that period in the county of Kent, and even in the same parish.[2] Oliver Godfrey died May 3, 1610, leaving no will; but the record of the appointment of his eldest son Edward as administrator of his estate is now on file in the Rochester Records, High Court of Probate, Somerset House.[3]

[1] "This parish is situated both for pleasure and health, the quantity of cherry grounds which encircle the village contributing greatly to the beauty of its appearance; and in the spring, when the trees are in blossom, the whole appears as a continual range of garden." (Ireland, *History of Kent*, iv. 451.)

[2] The writer entertains an idea that this Oliver Godfrey may have been a French *émigré*, who had become connected with the trade of London, and removed to England to be near the centre of commercial enterprise. The name of Oliver Godfrey, of Penserst (Penshurst), appears in a list of contributors to a loan to King Henry VIII., in 1542. (*Archæologia Cantiana*, xi. 402.)

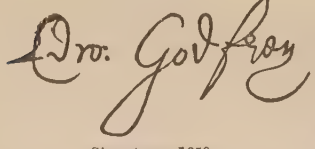
[3] A tracing of the original entry was made for me by the Rev. Robert Jamblin, M. A., vicar of St. Michael's, to whose cordial cooperation in the work of hunting up the Godfrey ancestry I am indebted deeply, and with pleasure make this general acknowledgment,

Preserved in the same archives is the will of his wife Elizabeth, who died January 21, 1621, wherein the names of ten children are to be found, of whom Edward, the eldest, and subject of this memoir, was made executor and residuary legatee, charged with the payment of the bequests.[1] Oliver and his wife Elizabeth were buried in the chancel of St. Michael's, Wilmington, and the mural monument to their pious memory is thus described as it appeared more than a century ago: "In the church there is a gravestone partly covered by the rails within the Communion Table, and on the stone was formerly the portraiture of a person in brass, with a label proceeding out of the mouth, and a coat of arms above the head. Beneath the figure a brass plate remains, with this inscription in Roman capitals: 'Here lyeth the body of Oliver Godfrey, Esq. who dyed the 3rd of May 1610, and Elizabeth his wife who died the 21st of Jany 1621, and

and shall designate at the proper places the special credit due to him for his investigations. The record of administration reads thus: "Nonodecimo maii 1610 coram venerabili viro Roberto Master, Legum doctore Vicario generali etc. / Willmington, Commissa fuit administratio bonorum Oliveri Godfrey de Willmington defuncti Edwardo Godfrey ejus filio primitus de bene, etc., jurato etc., pro inventario Petri extt [exhibitum]."

[1] See Appendix XV. The following is an abstract of her will, dated January 19, 1621, two days before her death: "To daughter Catherine £20, and certain furniture; to daughter [illegible] £3, and black gown; to daughter Maria 40*s.*; to daughter Elizabeth 20*s.*, and 20*s.* apiece to her daughters Dorothy and Sara Browne; to daughter [. . oth . ria ?] 10*s.*; to daughter Sarah, my best petticoat, and to Wm. Ditton, her husband, 10*s.*; to son William Godfrey 10*s.*, and to his daughter Elizabeth 10*s.*; to son Thomas 10*s.*; to son John 10*s.*; to Robert Werridge £5; to the poor of Wilmington 20*s.*"

had issue ten children.'"[1] When St. Michael's was rebuilt or restored in 1840 this monument was "carted away," as the present incumbent writes to me, and adds: "My old clerk remembers it perfectly." However, it will not be of direct interest to follow up this topic or refer at length to the family beyond this point,[2] and we leave it to pursue our researches into the personal history of the eldest son and heir of Oliver and Elizabeth, who came to our shores a few years after the death of his mother, and acquired the highest political honors in the province of Maine. (For pedigree, see next page.)



Signature, 1650.

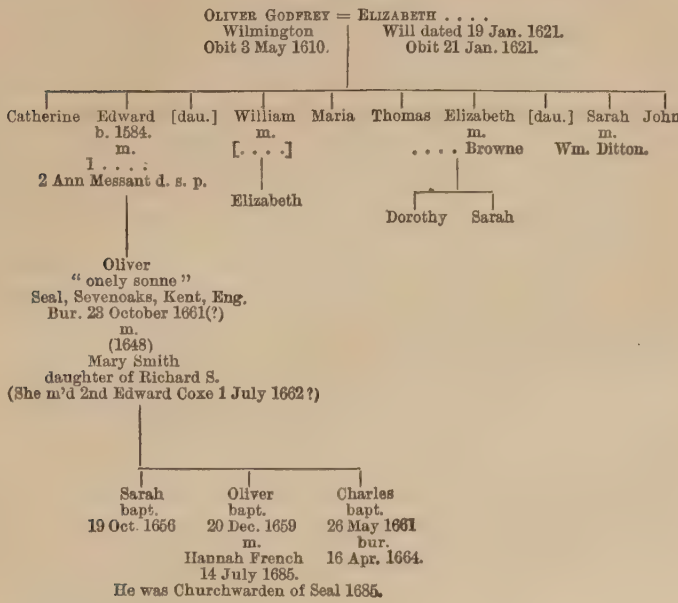
Edward Godfrey was born about 1584, in the reign of Elizabeth, during the culmination of the intrigues of Mary Stuart, queen of the Scots. He lived in the declining years of an age of discovery and in the early portion of the era of colonization; and becoming familiar with the painted blossoms of the one, he was eager to taste the bitter fruit of the other.

[1] MSS. of Samuel Denne, vicar of Wilmington, 1767. Hasted, in his *History of Kent* (iii. 450, 498, 508), intimates some false use of this monument by those not entitled to it, but his meaning is obscure and his views are repudiated as unfounded by the present vicar, who furnished me the facts.

[2] "The Godfrey family is still in existence in this neighborhood, though in a much more humble position than they were two hundred years ago." (Extract of letter from Rev. Robert Jamblin, M. A., vicar of St. Michael's, to the writer.)

GODFREY PEDIGREE.

(Compiled from Probate Records, Somerset House, and Parish Registers, Seal, Sevenoaks, Kent.)



For a century prior to his birth the famous transatlantic navigators had been urging their curious shallops across the unknown seas to a strange country, and in common with all the eastern world he was discussing the myths and mysteries told by these marvelous mariners.

He had undoubtedly heard from his father about the tragic fate of Sir Humphrey Gilbert, of Sir Francis Drake and his famous voyage around the world, and of Sir Walter Raleigh, the most brilliant and versatile man of his time; and as young Godfrey grew to his majority he probably came to know the relatives and descendants of these heroes: Ral-

eigh Gilbert, the admiral of the expedition fitted out by Sir John Popham for Sagadahoc; Captain Francis Champernowne, collaterally related to the two great sailors; and, finally, Sir Ferdinando Gorges, who became linked by marriage to the fame and fortunes of that illustrious family.

In the parish of Lee, not many miles from Godfrey's home in Wilmington, the Rev. Samuel Purchas composed the greater portion of his book of travels, entitled "Purchas his Pilgrimes," and thus the atmosphere of Barnend was impregnated with the theme of the golden shores of a newer land. Indeed, all the energy and ambition of England lay in the development of her foreign maritime interests. Great folio volumes of travel and adventures fed this zeal, and Godfrey must have been infected with the universal fever for discovery. London gave him ample opportunities for learning about all the ventures of the eager merchants; and when successive voyagers — Gosnold, Pring, Waymouth, Popham, and Argall — reached the unknown land, and came back with reports confirmatory of the roseate descriptions disseminated by their predecessors, his desire to know of the El Dorado could not have been satisfied short of an actual visit to these "fresh woods and pastures new." Fortunately for the development of this sketch, enough evidence is at hand to satisfy us not only of the proximate date of his emigration, but of the inception of his personal interest in the scheme of colonization. From several statements made at various intervals,

and independent of each other, we are in each case carried back to 1608 or 1609, from which he dates the beginning of his attention to the subject, and we naturally turn to some contemporary event to learn of the influences which may have attracted and directed his thoughts. Nor does the search fail us. In the latter end of the autumn of 1609 Captain John Smith sailed up the Thames, on his return from Virginia, and thenceforth devoted his wonderful energies to the advancement of trade and the colonization of New England.[1] He was one of the most conspicuous adventurers of that age, whose exploits were well calculated to excite the enthusiasm of courageous young men. It was this class that he assiduously cultivated then, for he had experimented enough with broken-down gentlemen and titled rakes in his attempted colonization of Virginia. Who can say that young Godfrey was not an eager listener to the tales of this Argonaut, recounting his adventures with the pretty Pocahontas to wondering crowds in the warehouses and taverns of London? But if he had made any definite plans for crossing the ocean they were soon abandoned, as the death of his father in 1610 made him the representative of the family, and the care of his widowed mother became his first filial duty. Four years later the "thrice memorable discoverer" Captain John Smith left the

[1] "He sailed from Jamestown 4 October, 1609, and probably reached England in the middle of November." (*Proceedings of the English Colonie in Virginia*, by W. S., Oxford, 1612, p. 102.)

Downs and arrived at Monhegan, and on his return published a spirited narrative of his voyage and explorations, which was accompanied by an excellent map.[1] From this Godfrey could read the first accurate description of the New England that was soon to become his home. There he first saw the name of Accomenticus, which lent its title to the town which bowed to him as its mayor, and on the same map caught the rude outlines of the territory over which he was destined to rule as governor. For the next ten years we are ignorant of his whereabouts, but from the negative evidence of this silence it is concluded that he remained at home. In 1621 he was still in England, as he was made the executor of his mother's will, as before noted. It is probable that during this interval preceding his first appearance on the shores of Maine he was engaged in mercantile pursuits, and interested in the ships which sailed up the Thames to London Bridge, laden with the products of India and Cathay.[2] In this way he evidently had be-

[1] *A Description of New England: or the Observations and discoueries of Captain Iohn Smith.* London, 1616.

[2] Godfrey was called a "Merchant" by Winthrop (*Journal*, i. 90), which is a specific designation made by the journalist for the purpose of distinguishing him from a "planter" or "mariner," or any of the commoner class of emigrants. In a petition Godfrey himself says that he had "ben versed in the Oriental parts of the World in the same Latitude as New England is the West." (*Col. Papers*, xiii. 79.) France and Spain are in the same latitude as Maine, but if he means longitude the corresponding portion of the "Oriental parts of the World" would be India. Probably this is his meaning, and he intends to convey that he was "versed" in the trade and commerce of India. There was an Edward Godfrey, late apprentice to William

come interested in the business which subsequently shaped his future career. It will be remembered that in 1619 the Mayflower Pilgrims, who were short of funds, entered into a contract with some London merchants to furnish them money for their proposed emigration, and that a joint stock company was formed by the two parties for a term of seven years. "There were divers of Robinsons Tenents of Amsterdam and other Merchants of London joyned to settle a Colony," says Gardiner, "nigh Cape Cod, now called New-Plymouth in New England; Godfrey was one, but in two years they brought those that sent them 1800£ in debt."[1] This important statement reveals to us that Godfrey, as early as 1620, was a merchant in London, and, yet more interesting, one of that company of adventurers who aided the Pilgrim Fathers in their time of need, though the money loaned was in the nature of a speculation. The scheme resulted in a failure financially, and November 15, 1626, forty-two of the merchants signed a release upon an adjustment of the indebtedness to them on a basis of £1800, to be paid in stipulated annual installments. It then appears that Godfrey soon emigrated to Piscataqua. Gardiner says he

Mallery, admitted a freeman of the Mercers' Company, of London, in 1614, who may be our Edward Godfrey, then about thirty years of age. (MSS. Records, Mercers' Company, London.) An Edward Godfrey petitioned the East India Company September 18, 1624, in behalf of the widow of Robert Jackson and his interest in the estate. (*Court Minute Book*, vi. 119.)

[1] Gardiner, *New England's Vindication*, 2; comp. Bradford, *Plymouth Plantation*, 45, 46; 1 *Mass. Hist. Coll.*, iii. 48.

stayed in New England "27 years in person,"[1] and as he left it in 1655 or 1656 he must have emigrated about 1628 or 1629. I judge that he was sent out as an agent of the Council for New England, as on November 27, 1629, while at Piscataqua, he was appointed "lawful Attorney of the President and Council to take possession and deliver . . . to Sir Ferdinando Gorges and Captain John Mason" the patented grant of Laconia, being the premises granted November 17th previous.[2] At that date he was certainly in this country at the settlement about Portsmouth. He had charge of the fishery interests of the Laconia Company, as appears by the correspondence of the principals in London,[3] and in all respects was looked upon and directed by them as a trusted agent in charge of their large establishments about the region of the Piscataqua.[4] This relation continued after he had left that settlement, for as early as 1630 he had

[1] Gardiner, *New England's Vindication*, preface.

[2] *Colonial State Papers*, lix. 115.

[3] The Laconia Company wrote under date of December 5, 1632, as follows: "We desire to have our fisherman increased whereof we have written unto Mr. Godfrie." (*New Hampshire Provincial Papers*, i. 68.) "Godfrie who had been here some time lived at Little Harbor and had care of the fishery. He had under his direction six great shallops, five fishing boats . . . and thirteen skiffs." (Adams, *Annals of Portsmouth*, 16.)

[4] The Laconia Company "committed the choise care of our [their] house att Pascattaway" to Godfrey, hoping that the rest of the factors would "joyn lovinglie together [with him] in all things for our [their] good and to advise us [them] what our [their] best course will be for another year." (*New Hampshire Provincial Papers*, i. 68.)

chosen a spot near the "rivar of Accomenticus" for his future residence. In his petition to the Massachusetts General Court, dated October 30, 1654, he states that he had been "24 years an inhabitant of this place [York] the first that ever bylt or settled there;" [1] which carries us back to 1630, an assertion which then passed unchallenged. It is not improbable that he represented to his patron, Sir Ferdinando Gorges, the availability of the spot for the future metropolis of his province, and that the advice was accepted. Referring to the mission of Lieutenant-Colonel Walter Norton, Gorges says: "Upon his motion I was contented my grandson Ferdinando Gorges should be nominated together with him and the rest; to whom was passed a Patent of twelve thousand acres of land upon the east side of the river Agomentico and twelve thousand of acres more of land on the west side to my said son Ferdinando." [2] This was the patent of December 2, 1631, and the grantees of Gorges, upon their arrival at the location of their claim, must have found Godfrey in his lonely house by the shore ready to welcome civilized

[1] Williamson preserves the local tradition that "he built one of the first frame houses ever erected in the place." (*History of Maine*, i. 677.) Again, in 1660, he alludes to "faithful service amongst them, the first planter." (*Colonial Papers*, xv. 19.) The remains of the cellar of this house are still visible in old York, and Godfrey's Pond and Godfrey's Cove, near by, yet retain the name of the first settler of the town.

[2] Gorges, *Briefe Narration*, 38. The influence of Godfrey in the selection of this place for that grant is apparent, for he was the first settler there in 1630, and the patent was issued the next year.

neighbors and friends. The solitude of Blackstone, the religious recluse of Boston, had been but lately disturbed by the arrival of Winthrop's fleet, and this large influx of immigrants stimulated the feeble settlements along the coast and encouraged intercommunication. Under date of October 18, 1632, Governor Winthrop records in his journal: "Capt. Cammock and one Mr. Godfrey a merchant came from Pascataquack in Capt. Neal his pinnace and brought sixteen hogsheads of corn to the mill."[1] This circumstance is of interest because up to that time and still later there was not one run of stone in all the settlements about the Piscataqua.[2] As there was no tavern in Boston till 1634, we are obliged to think that Cammock and Godfrey had urgent friends to detain and house them, for the governor reports that they did not leave until some time in November.[3]

[1] Winthrop, *Journal*, i. 90. This windmill, which had been set up on Fort Hill only the previous August, was first erected at Newton, but had been taken down and carried to Boston, "because it would not grind but with a westerly wind." (Drake, *History of Boston*, 141.) This is the only time that Godfrey is mentioned in the text of Winthrop's great work, although they were in frequent official communication till the death of the latter. When he first met Godfrey he gave him a "notice," but as they differed in religion and politics he ignored him afterward.

[2] This defect was remedied in July, 1634, when Gorges and Mason sent carpenters "to Pascataquack and Aquamenticus with two sawmills to be erected in each place one." (Winthrop, *Journal*, i. 163.)

[3] We surmise that they started homeward upon receiving news that Dixy Bull and his piratical crew were ravaging the coast of Maine, the news of which reached Winthrop November 21st. (Winthrop, *Journal*, i. 114.) See an article on Dixy Bull by the writer, *Maine Genealogical Recorder*, i. 57.

In 1634 he was chosen as one of the referees by Mason and Gorges to divide their patents,[1] and after the completion of this work Sir Ferdinando, who had acquired an absolute property in the territory between the Piscataqua and the Sagadahoc, proceeded to organize and establish the administration of justice within those limits. His nephew, William Gorges, was designated as governor, and in the dwelling-house of Captain Richard Bonython, on the eastern shore of the Saco River, he opened his first court, March 28, 1636, with Edward Godfrey as one of his councillors.[2] A little later, in the common quarrel with George Cleeves, of which every provincial official had a taste, growing out of the Rigby claim, Godfrey became involved, with many others, as an adherent of the Gorges faction. The nature of this quarrel between Cleeves and Godfrey does not appear, but it seems that the former began legal

[1] In a joint letter Mason and Gorges inform their factors, May 5, 1634, that they "have made a division of all our lands lying on the north east side of the harbor and river of Pascattaway," and direct them "with the advise of Capt. Norton and Mr. Godfrey to set out the lynes of division." (*New Hampshire Provincial Papers*, i. 88.)

[2] At this primitive tribunal of justice, where he sat in judgment, were tried two actions in which he was pecuniarily interested. Upon his petition an order was given to "the officer of Acõmticus to apraise goods of Mr [William] Hoock for £19 3*s*. and 30*s*. damages." This was William Hooke, who left the province in a few years with a grievance against Godfrey, which he pours forth in a letter to Winthrop. (4 *Mass. Hist. Coll.*, vii. 198.) At the same court Godfrey applied for a writ of seizure on "one Brase Kettell now in the hands of Mr Edward Godfrey whe was belonging to Mr John Straten of a debt dew now 3 years from Mr Straten to him."

proceedings against him, probably for libel, and as Vines is the authority, the details are resigned to him for narration. Under date of January 25, 1640, Vines writes to Winthrop: "Three or 4 yeares since Mr Cleiues being in England, procured a writ out of the Star Chamber office to command Mr Edward Godfrey, Mr John Winter, Mr Purches and myselfe to apear at the counsell table to answear some supposed wrongs. Mr Godfrey went over to answeare for himselfe, Mr Winter and my selfe, and out of the same Court brings a writt to command Cleiues to pay vnto him 20 *li* for his charges, which he refuses to doe."[1] It will not be a surprise to us to learn from Godfrey, writing later, that he was unable to obtain any recompense for this malicious persecution, as Cleeves was practically worthless, morally and financially.[2] This visit of Godfrey to England, which was made about 1637, was prolonged for a year or more, and had the dual object of pleading to this suit and procuring a patent of confirmation for his land at Agamenticus.[3] But while there in April, 1638, he was

[1] Willis, *History of Portland* (ed. 1865), 878, reprinted from 4 *Mass. Hist. Coll.*, vii. The Star Chamber, of unsavory memory, was established legally, though long before in power, 3 Henry VII. (1488), and abolished 16 Chas. I. (1641).

[2] Godfrey writes: "I could get noe thing for my uniust molesting booth of Mr John Winter and my selfe." He got a verdict in his favor October 21, 1645, in a suit against Cleeves, for £20, awarded to him by the High Court of Star Chamber.

[3] "Some 18 yeares passed" (1636 or 1637), writes Godfrey in 1654, "by oppression of Sir Ferdinando Gorges [I] was forced to goe to England to provide a Patten from the Counsell of N. E. for

present at the trial of the Quo Warranto Writ, brought by Sir John Banks, Attorney General, for vacating the Massachusetts charter. The patentees were "called on to confront a peremptory demand from the Lords Commissioners in England for the surrender of the Massachusetts Charter, coupled with the threat of sending over a new governor-general from England."[1] During this trial Godfrey says he was "att the Counsell Table," and when the agents and friends of Massachusetts "stood mute," not knowing what defence to make, he answered the objections; and Gardiner says: "so that upon his Plea, all the Ships were cleared."[2]

my selfe and partners." This was the grant dated March 22, 1638, which was a renewal to him of the grant of December 2, 1631, in favor of Gorges and Norton *et als.*, referred to in *Briefe Narration*, 38. It was probably void through neglect to fulfill conditions of settlement. It is difficult to comprehend what Godfrey means "by oppression of Sir Ferdinando Gorges" he was "forced to goe to England to provide a Patten[t]." Perhaps it was a disagreement about rent of his land, but it is certain that Gorges was loyal to Godfrey in the quarrel with Cleeves. "Now Sir Fferdinando Gorges gaue me order to see Mr Godfrey haue right in this case," writes Vines to Winthrop in letter above quoted, and, as will be seen further on, Gorges made him councillor under the new charter government.

[1] *Memorial History of Boston*, i. 128. On complaint of several disorders in New England, the king in July, 1637, appointed Sir Ferdinando Gorges governor-general, but the measure was never carried into effect. This failure is accounted for through the internal distractions in England and Scotland, which diverted the attention of the authorities from colonial matters, and soon after Archbishop Laud and some other lords of the council, who had been zealous for the measure, lost their authority. (Holmes, *Annals*, i. 241; Chalmers, *Annals*, i. 162.)

[2] Gardiner, *New England's Vindication*, 5. This effective assistance volunteered by Godfrey went unthanked by Massachusetts, and

This service was of the greatest benefit to New England, and has never been properly appreciated, either by his contemporaries or later historians. When Godfrey returned to Maine he came with the news that order would soon supersede the political chaos which George Cleeves had so successfully excited. The lord patentee, Sir Ferdinando Gorges, having been unable to come over as governor-general, next obtained from King Charles I. a charter constituting him lord proprietary of the province of Maine.[1] By an instrument twice executed he instituted his vice-regal government, with Sir Thomas Jocelyn at the head.[2] I believe

was subsequently ignored as futile by them. They ascribed their escape from total political extinction to divine mediation, "as it pleased God so to order in his good Providence." (Rawson to Godfrey, Hazard, *State Papers*, i. 564 ; comp. Chalmers, *Annals*, 299 ; Winthrop, *Journal*, i. 161.)

The Privy Council first ordered, March 30, 1638, that certain ships "now on the river of Thames, prepared to go for New England," should be detained; and April 1st the same course was taken with "all that should thereafter be discovered to be prepared or intend to go thither." This order was rescinded April 10th, and the vessels proceeded to their destination. (*Journal of the Privy Council.*) It was during these anxious days in the spring of 1638 that Godfrey appeared "at the [Privy] Counsell Table" to speak in behalf of the Massachusetts Charter and the emigrants who were detained. That his work was effective we know from the result.

[1] The charter was dated April 3, 1639, and a commission for government was issued September 2, 1639 ; but a second instrument became necessary by the declination of Sir Thomas Jocelyn, who was nominated by Gorges as deputy governor. The second commission was dated March 10, 1639–40. (Hazard, *State Papers*, i. 458.)

[2] Sir Thomas Jocelyn was the son of Henry and Anne (Tyrrell) Jocelyn, and the father of Henry of Black Point and John the traveler. He set sail from the Downs April 26, 1638, with his son John

this was one of the fruits of Godfrey's visit to England, when of a certainty he must have visited Sir Ferdinando, and was able by his long residence and familiarity with the place and people to give him intelligent advice concerning the future administration of his province.[1] The charters for the general territorial government and those for the creation of Agamenticus into a municipal corporation and metropolitan of the province were undoubtedly suggested by him to Gorges, as they

to visit Henry in New England, and arrived at Black Point July 14th following. Winter, in a letter to Trelawny, July 30th, that year, says he was "an ancyent old knight . . . 4 score yeare old wantinge but two." (*Trelawny Papers*, 119.) This brings his birth to the year 1560. He remained at Black Point for a period of fourteen months, but on September 2d, three weeks before his departure for home, Gorges had issued a commission to him under the charter of April 3d, that year, as deputy governor, unknown evidently to him. At that time the "ancyent old knight" was at Black Point listening to the marvelous yarns of Michael Mitton and Richard Foxwell. (*Two Voyages*, 23, 24.) Sir Thomas did not reach England till November 24th, having set sail from Boston September 24th previous. Upon his arrival it is probable that he first learned of his nomination. We may well infer that it was declined on account of his great age, — if perhaps death did not terminate the commission. Gorges had mistaken the field. The energies of youth were demanded by the province.

[1] Early in the year following the general provincial charter the village of Agamenticus, distinguished already as the residence of the deputy governor, was created a borough, April 10, 1641, and Thomas Gorges was appointed the "first and next maior." (Hazard, *State Papers*, i. 472.) This form of government did not suit the lord proprietor, and in less than a year he drew up another charter, dated March 1, 1642, creating a "Citie or Towne" by the name of Gorgeana. The deputy governor was to appoint the mayor, and there were to be twelve aldermen and "four and twentie" councilmen chosen annually by the free burgesses. (*Id.*, i. 480.)

followed so soon after his visit to England. He was then the only one who had been resident in the province, except Vines, in the confidence of the lord proprietor. In both of the charters, provincial and municipal, Godfrey was nominated for office. In the general government he was named as councillor, and in the borough charter of Agamenticus he is first on the list of eight aldermen, presumably chairman of the board, and in the same instrument is further commissioned as judge of the municipal court.[1] Under the second, or city charter, he became the mayor of Gorgeana, probably by appointment as provided, besides holding his provincial magistracy as senior councillor.[2]

[1] "The said Edward Godfrey shalbe a justice of the peace for the first yeare . . . and . . . shall likewise have an oath administered unto him by the . . . Towne clerke for the due execucon of Justice within the limitts of the said corporacon." (Hazard, *State Papers*, i. 472.)

[2] Williamson, *History of Maine*, i. 286, 289. See, also, my article on Roger Garde, *New England Historical and Genealogical Register*, xxxv. 343. About this time William Hooke, who was in high favor with the Boston Puritans, and had gained the title of "godly gent" from their leader (Winthrop, *Journal*, ii. 125), left Agamenticus with a grievance which he had probably harbored against Godfrey for several years. Godfrey may have thought it his duty to report to Alderman Hooke, his father, what he considered to be waywardness in the son in taking up with the doctrines of the Puritan theocracy. Hooke thus unbosoms himself to Winthrop in a letter dated July 15, 1640: "Mr Godfrie haeth informed my father of many false things by letter against me in my remoueing from Accomenticus. Nowe Sir, you knowe vppon what grounds my remoueing was & what ends I propounded vnto my selfe in regeard of the vnsettellnesse of the Church & State: praye Sir satisfie him in your wisdome what you thinke meate." (4 *Mass. Hist. Coll.*, vii. 198.) See Appendix I.

His duties under the latter office included jurisdiction over the Isles of Shoals, not only the northerly half, which belonged to Maine, but the southern group in the territory of Massachusetts.[1] It is probable that this arrangement was with the consent of the latter province. Some questions growing out of this temporary assumption of jurisdiction gave rise to a correspondence, in 1645, with Winthrop, in which Godfrey wishes that the entire group were in the government of Massachusetts, adding in parenthesis, "(it is not Mr Hulles mynd)."[2] The conclusion of the gloomy letter which he writes to Winthrop November 27, 1645, is as follows: "I haue sent my onely sonne for England for atending to your sonne worship. Jo: Wyntherop & some others to heere & determin or sartify of my oppressions, [which] Solomon saith will make a wyse man mad, soe may distemper me. I and Mr Hull & the rest Jobe 12. ii seing noe appell alowed must haue patience, onely desyer your worshipe to aduise me yf I tacke some of them in your jurisdiction wheather I may not haue an action of slander defamation to be tryed in

[1] The charter of the province of Maine embraced five of the Isles of Shoals, and the remainder belonged to New Hampshire, at this time under the government of Massachusetts, though the hardy fishermen were all Royalists. (Jenness, *Isles of Shoals*, 93.)

[2] The itinerant missionary of that region, the Rev. Joseph Hull, styled by Winthrop "a contentious man," had a chapel of ease at Hog Island, in the Maine group, and was of a different opinion from Godfrey, for he was inclined to oppose any encroachments of his Puritan enemies upon the Isles of Shoals. He had had taste enough of their theological oligarchy.

your court att Boston."[1] This letter is made partially intelligible by contemporaneous events. James Parker, writing July 28, 1645, about Maine affairs, says, "That province is greatly distracted," and without doubt it was. Richard Vines, tired of the long internecine strife, had sold his estate to Dr. Robert Childs, and taken his departure for

[1] The question of John Winthrop, Jr., being in England in 1645, as mentioned by Godfrey, was referred to Hon. Robert C. Winthrop for comment, and, under date of June 7, 1880, he writes: "Godfrey's words may mean that he *had* sent his son while J. W., Jr. was in England. . . . I do not think that J. W., Jr. was in England again in 1645, but I am not sure. There is an endorsement '1645' in a comparatively modern hand (say a hundred years ago) on the back of the letter. The last figure is certainly in the original more like a 5 than like a 3, but there might perhaps be room for a question. I still think, however, that it is 1645." John Winthrop, Jr., went to England August 3, 1641, and returned in 1643. He seems to have gone on business connected with the iron works. (Winthrop, *Journal*, ii. 31, 312.) The diversity of opinion between Parson Hull and Justice Godfrey about the government of the Isles of Shoals extended next year to a question of personal jurisdiction over a "p'sell of marsh." Godfrey sued his minister for possession of the disputed plot, and prevailed with the jury, who found "for the plt the 20 acres of marsh, tenn shillings damages & cost of court." (*York County Court Records.*) The following year he came into court "in the behalfe of Sir Ferdinando Gorges, Knight," to compel John Alcock and Peter Weare to acknowledge a debt due the lord proprietor. John Heard was arraigned also by the same grand jury, and found it an expensive pastime "calling Mr Godfrey old knave," for the court adjudged him guilty and fined him £5, which was reduced to £3 upon the humble petition of the culprit. Again in court, June 27, 1648, Godfrey appeared before the bar as plaintiff in a suit to recover title to some land. This time John Gooch was the defendant, and the jury once more took Godfrey's view of the case "according to his division exhibited in Court," and awarded him the land and £5 damages. (*York County Court Records.*)

the Barbadoes, and Mayor Roger Garde, of Agamenticus, who had died but a few months before, "cried out much off the people that they had broke his hearte." Both of these men were his intimate associates, and the loss of their friendly counsel was calculated to make him disheartened. However, he does not falter. He makes a proposition for some primitive form of an intercolonial extradition to reach the slanderers from without, possibly referring to William Hooke, the "godly gent." In a letter to Winthrop July 20, 1647, Godfrey gives us a further insight into the internal dissensions which disturbed the body politic, but as they are of a general nature there will be no place for quotations.[1] The people, without doubt, were in a state bordering on anarchy, and the condition of affairs was soon to become still more complicated. Two months before the date of this letter just mentioned (May 14, 1647), the lord proprietor, Sir Ferdinando Gorges, was laid in a warrior's tomb, although Godfrey was then ignorant of his death. At this point we are afforded a pleasantly humorous view of the home and surroundings of Godfrey.[2] Lucy (Winthrop) Downing, in

[1] As early as February 10, 1640, Godfrey wrote in a similar strain to Winthrop: "It is not vnknowne the many difficulties I have vndergone in the infancy of this plantation, now brought to som perfection. It is likely to suffer except you put to your helping hand." (Felt, *Ecclesiastical History of New England*, i. 445.) It is unfortunate that this whole letter is not accessible, but Mr. Felt gives no clue as to its whereabouts. See, also, Appendix II.

[2] 5 *Mass. Hist. Coll.*, i. 37. The land on which Godfrey's house

a letter to her brother John Winthrop, Jr., under date of December 17, 1648, thus writes: "... Mr [Nathaniel] Norcross is flowen to Agamenticus and there he sayth for his short experience he likes very well. Mr Godfrey whear he lives keeps a very good howes and if wee will goe thither a hows with 3 chimnyes he promiseth if 2 of them blowe not down this winter which may be feard being but the parsons howes." Probably this "very good howes" in which Justice Godfrey lived was the frame house, the first in the town, according to tradition. The officers of the Gorges proprietary, of whom he was the senior councillor, sent a letter to the heirs of the deceased knight, of whose death they had been apprised in June, 1647, and again in 1648, "but by the sad distractions in England noe return is yet come to hand," they declared in July, 1649, when they drew up an admirable instrument for mutual protection and self-govern-

stood was thus bounded by the surveyors in 1644: "from the Marked tree above the Trapp unto Mr Nortons house which is his bounds. It contayning 154 poole betweene the sd house & Tree & from these bounds he is to goe North East." (*Massachusetts Archives*, cxii. 12.) On these broad acres he attempted to leave a name for his posterity which should always remind them of the traditions of his family. He called a spur of his land which projected into the sea Point Bolleyne, as a remembrance of the Godfreys of Bolleyne, whose arms and crest he bore cut in the seal that left its impression upon the letters in the Winthrop correspondence previously referred to. Beside this property on the York River, he was interested with his son Oliver Godfrey and Richard Rowe, of London, in a tract of 1,500 acres on the north side of Cape Neddick Creek, which they had leased in 1638 from Gorges. They were required to pay the proprietor an annual rent of two shillings for every hundred acres.

ment.[1] By this "combination" (so called) it was unanimously agreed "to make choyse of such Governor or Governors and magistrates as by most voysses they shall thinck meet."

The "choyse" of the people naturally fell upon him who had first laid the foundations of a civilized community in that section of the province, and who by reason of long and faithful service and eminent abilities had merited their esteem. Edward Godfrey, gentleman, became then the first governor of the province of Maine, the colonial contemporary of John Endicott of Massachusetts, William Bradford of Plymouth, John Haynes of Connecticut, and Theophilus Eaton of New Haven. The election took place at the July term of the court in 1649, and for three successive terms he was chosen to be his own successor. His administration is not characterized by any noteworthy legislation, but the records show his terms to have been years of quietude and rest from the political agitations which had worried the planters heretofore. Under his guidance the province of Maine began to spend its time with internal progress, and professional politics was discarded for practical husbandry. All this peaceful prospect, however, was to be rudely disturbed by an act of usurpation, devoid of neighborly honor and common justice. By a false and specious interpretation of her charter Massachusetts claimed the heritage of

[1] Printed verbatim in the *New England Historical and Genealogical Register*, xxxv. 42.

Sir Ferdinando Gorges, and by force of might proceeded to establish this fraudulent claim. The complete story of these proceedings belongs to a special monograph, however, which will be treated by me in a separate publication,[1] and I can only allude to the part taken in the affair by Godfrey. As governor, the duty of remonstrance and resistance fell to him, and when first apprised of their intention to take possession of the province he called a session of his assembly and presented the case. They resolved to appeal to the English Parliament at once, and Governor Godfrey drew up a letter asking for protection. (Appendices III. and V.) This was in December, 1651, but Cromwell's Roundheads were the allies of the Puritans of Massachusetts, and no help could be found there. A paper warfare ensued between Governor Godfrey and Secretary Rawson, in which the Massachusetts General Court was asked to act the honorable part, and beseeched not to crush out a feeble neighbor by such unjust means. The governor told them that in 1638 he defended their charter at the Quo Warranto Trial, and now, with base ingratitude, they used that same instrument to steal away his rights and the rights of his people. (Appendix IV.) After the words came the work of usurpation. The emissaries of Massachusetts arrived in York, the residence of the governor,

[1] *The History of the Usurpation of the Province of Maine by the Massachusetts Bay Colony*, by the author of this memoir, is announced by the Gorges Society to appear in their forthcoming publications.

November 22, 1652, to take the submission of the inhabitants. They had been to Kittery, and by judicious intimidation had won the first skirmish, and now the battle was to be fought with the governor. The planters gathered in large numbers and manfully plead for their rights, but without avail. The doctrine of might became right on that day, and the chronicle reads: "After some time spent in debatements, many questions answered and objections removed," the inhabitants acknowledged themselves "subject to the government of the Massachusetts." But what of Godfrey? The next sentence tells the story, for this is the Boston side of the tale: "Mr Godfrey did forbeare untill the vote was past by the rest and then imediately he did by word and vote express his consent also."[1] But he submitted with a mental reservation. The townsmen evidently went over to the Massachusetts side like a flock of frightened sheep, and Godfrey saw that opposition was futile. "Whatever my boddy was inforsed unto," he says in his statement to the Rump Parliament, "Heaven knowes my soule did not consent unto."[2] No one familiar with the story of the usurpation will doubt his word. This act of his, however, was the great mistake of his life, and a mistake that he must have regretted. It would have made no difference in the result if he had refused to submit, but it would have added to our respect for his uncom-

[1] *Mass. Col. Records*, iv.(i.) 129.

[2] *Colonial State Papers*, xiii. 79; Appendix VII.

promising adherence to principle. The authorities of Massachusetts thereupon appointed him councillor of the province, and for three successive years he exercised the functions of that office. Under the new order of things, which was almost a political revolution completed without bloodshed, the friends of the dominant party began a system of plunder which soon despoiled the governor of his estate. He says that by "making it a Township (I) could not performe my covenants with Tenants and servants." The Massachusetts charter, with its limits stretched over Maine, gave the enemies of the fallen chief an opportunity to make free with his land, and he said that these people "had been so Bould as amongst themselves to share and divide" his land so that he had "not marsh left him to keepe 5 head of Cattle." This he put in a petition [1] to the Massachusetts General Court, and asked for an investigation, which they granted, and appointed commissioners, and they made a report in his favor, confirming to him over 1,500 acres.[2] This confirmation met with a vigorous protest from over a score of the people of York, who by this decision were made to pay rent for this land which they had "shared and divided" amongst themselves, and they asked for a rehearing. The flimsiest reasons for this request were given. No new

[1] Dated October 30, 1654. In another statement he says: "My Pattent judged by them void after 25 years possession." (*Egerton MSS.*, British Museum.) See Appendix VI.

[2] *Mass. Archives*, iii. 238, dated April 20, 1655; Appendix XX.

evidence was presented to substantiate their desire, and yet in spite of the unbiased judgment of the committee a new investigation was ordered.[1] The result is not upon record, and we cannot say how far this policy of legislative interference was successful in defrauding him of his estate, which he had occupied for a quarter of a century. It would seem that he had become tired of the indignities heaped on him, not only by outsiders but by his own ungrateful townspeople, for the last we hear of him is in the following August, when he transferred a few acres of land. He could see no hope for himself among an alien crew of officials, and he must have soon sailed for England to prosecute his case before the Protector. It was a forlorn hope indeed to flee from the Puritans of Massachusetts to the Puritans of England, but it was a step he took for what it would bring. He had undoubtedly seen the folly of his submission, and repented of it deeply, and when he set sail for England he resolved to place not only his own wrongs, but those of the people of the province, in their true light before the courts of the Commonwealth. His movements were probably well known to the Boston officials, and his departure alarmed them. For four months since Edward Winslow's death they had been without representation at Oliver's court, but now they lost no time, and probably in the wake of Godfrey's shallop sailed the ship that bore Captain John Leverett to London, the accredited agent

[1] *Mass. Col. Rec.*, iii. 385, dated May 23, 1655; Appendix XXII.

of Massachusetts.[1] As the time of Godfrey's departure is not definitely known to us, the date of his arrival in London must also be a matter for conjecture. Upon the supposition that he reached his old home in the autumn of 1655, a long hiatus remains to be filled before reaching the next recorded notice of his movements. Knowing the active habits of the man, this cessation of labor can be accounted for by a knowledge of the hopelessness of his pleadings before the bar of the Commonwealth, or upon the theory of the progressing infirmities of age. We may well conclude that the two causes kept him in seclusion during the last years of the Protectorate, for, knowing the hostility of the ruler to him, we must also bear in mind that the exiled magistrate was rapidly nearing the completion of "threescore years and ten." Yet it is inconsistent with his natural energy to picture him sitting idly down with folded hands, bemoaning his misfortunes. Rather do we think of him as prudently abstaining from active agitation, and silently lending his moral aid to that passive movement in the minds of the people which was soon to overturn the usurping maltsters family from the throne. This proves to have been the case, for thus he describes his course of action :[2] —

"After 3 yeares there spent in vane for redress,

[1] He was appointed November 23, 1655. "In the beginning of December (1655) Capt. John Leverett set sail for London." (Hull's Diary, in *Archæologia Americana*, iii. 178.)

[2] *Colonial State Papers*, xv. 32, March 14, 1660-61; Appendix IX.

I came for England," he says; . . . "then I got a reference from O : P :[1] nothing effected, then one from R : P :[2] the referes met divers times."

We cannot suppose that he seriously hoped to effect any favorable consideration from the Protectorate, but rather to keep alive the story of his wrongs through this inalienable right of petition. Beside this legitimate method of agitation, he had secured during the latter part of the reign of Oliver Cromwell the favor of certain "persons of honor," who interposed their influence in the adjudication of his claims with the authorities at Boston. These friends had addressed letters to the governor and magistrates of Massachusetts on behalf of Godfrey, but no answer or acknowledgment was received to these amicable epistles. He complained to Captain Leverett of this discourtesy, and by him it was reported shortly after the death of Oliver Cromwell. To this the General Court replied: —

. . . "Concerning those letters from persons of honor alledged by Mr Godfrey to have been sent to the governour and magistrates in favour of him wee never received and so could return no answer, and for himselfe, he was one of those that did submitt to this government, accepted of commission from hence and took the oath of freemen, and that without any force or compulsion at all, none

[1] Abbreviation for Oliver, Protector.

[2] Abbreviation for Richard, Protector. See his petition to the "Rump" Parliament, Appendix VII.

having been used towards him or any other as is unduely suggested." [1]

The authorities of Boston felt uneasy from the moment Governor Godfrey set sail for London. They knew his power, and foresaw that his personal endeavors at court might be productive in reopening the merits of the question of jurisdiction. While they felt able to conquer him in the house of their friends, yet they did not wish to cross swords with him. So, to counteract any influence which he might obtain, the Boston magistrates circulated a petition [2] in the towns of Maine, praying his highness the Protector to take them under his immediate control, and not relegate them to the former provincial authorities. It is, perhaps, needless to say that this document was procured under the shadow of those influences which had driven the poor planters into their earlier submissions. Having once signed away their birthright, it was not a difficult task to induce them to express their satisfaction with the change, as they did in a previous petition.[3] Leverett writes, under date of December 25, 1658, to Secretary Rawson: . . . "I presented a copy of the petition from Pacscataqua and Yorke inhabitants (Mr Godfrey being active about his complaints, the which he still prosecutes and hath procured a reference) his Highnes [4] said

[1] *Hutchinson Papers*, ii. 39, 41.

[2] 1 *Maine Hist. Coll.*, dated October 27, 1658.

[3] 1 *Maine Hist. Coll.*, i. 296, dated August 12, 1656.

[4] Richard Cromwell, although the petition was addressed to his father, the news of his death not having been received.

he would read the same and consider thereof at more leisurable tyme than he had at that present: so that I doubt not but whatever Mr Godfrey may doe we shall be able to give such answer as to prevent prejudice to the courts acting as to those parts." [1]

The trusty agent of Massachusetts knew whereof he spoke when he announced his ability to ward off any investigation into the usurpation of the jurisdiction of Maine. The Protector himself was too much of a usurper to give that business much thought. He deemed it prudent to take "leisurable tyme" with the complaints of the exile.

Godfrey's interest in Maine, however, was not wholly a selfish desire to aggrandize himself. That he had other and higher motives in mind at all times is sufficiently shown in a letter from the Corporation for the Propagation of the Gospel to the Commissioners of the United Colonies, dated May 7, 1659: "Wee are informed," writes the clerk, "that there is want of fitt and able persons to cary on the worke amongst the Indians residing towards the east: wee haue thought good att the Request of Mr Edward Godfrey to recomend vnto you one Mr. John Brock, a person vnknowne to vs, whom hee affeirmes to be expert in the Indian toungue and fitly quallifyed for the purpose aforesaid." [2] Even in his poverty he had tender

[1] *Hutchinson Papers*, i. 317.

[2] Hazard, *Collections*, i. 403. Rev. John Brock was born at Stradbrook, and came to New England in 1637, graduated at Harvard

and hopeful thoughts for the savages of his loved home.

For three years Godfrey patiently awaited the termination of these delays, all the while hoping and believing that the Protectorate, which had pocketed all his petitions and grinned at his grievances, would soon die a natural death. The end was reached September 3, 1658, when the wonderful Cromwell, nodding assent to the succession of his son, breathed his last. It was not the end literally, but the beginning of the end, for there was nothing of the leader of men in Richard.

In a few months Charles the Second, the "Merrie Monarch," by common consent returned to the throne of his ancestors. Governor Godfrey thought he saw in all this elegance the omens of an humbler restoration for himself. The natural obstacles of age and consequent infirmities did not seem to check the ardor of his prosecution for justice. Indeed, it was necessary for him to be on the alert if he would accomplish tangible results. He was not only living on borrowed time, but on borrowed money. The reverses of the past eight years and the loss of income from his lands had reduced him to actual poverty. Indeed, it is one of the sad pictures of the usurpation of the Boston authorities to see this octogenarian homeless, penniless, in

College in 1646, and preached at the Isles of Shoals from 1650 to 1662, when he removed to Reading. Mr. Brock was one of the committee who in 1655 adjusted the differences between Godfrey and the town of York about lands. See Appendix XX.

the streets of London, perhaps a frequent denizen of the casual wards of the great metropolis. The new king had scarcely become seated on his throne before our applicant was at his feet.[1] It may appear in unseemly haste, but, as Godfrey intimates at the end of his address, it was a question of existence almost. He joined his strength with those who had other grievances against Massachusetts, and Captain Leverett, no longer an adviser of the throne, now stood at the outskirts waiting to pick up such information of the progress of events as the loafers at the courts of royalty would vouchsafe to divulge. The meagre news which he could glean in this desultory way he sends to the magistrates at Boston, and, under date of September 13th, writes to Endicott that he has tried to "have a sight of theyr petition, but cannot procure it." However, he reports that Godfrey was the leader of the allies in this movement, and that his forces

[1] It was about this time, probably, that he compiled the pamphlet entitled *New England's Vindication*, which was printed in 1660 at London, with the name of Henry Gardiner as its entitled author. The reasons for believing that Godfrey not only furnished the facts contained in the tract, but in all probability wrote it, have been stated at length by me in another publication. Godfrey's literary style is so peculiar, often an unintelligible mingling of ideas, strange metaphors, and curious idioms, that the similarity of this style in *New England's Vindication* is too close for thinking it to be accidental. No one who reads this little tract and Godfrey's letters in parallel columns can fail to see the earmarks of authorship in almost every line. See *New England's Vindication*, Gorges Society Publications, vol. i., Portland, 1884. Edited by Dr. Charles E. Banks.

consisted of anybody and everybody who would volunteer.[1]

What a contrast this forms in connection with Leverett's position twenty-two months earlier! Then the latch-string to the Protectorate was always on the outside for him. Now he was on the outside, not daring to avow himself the accredited agent of Massachusetts. Then he was hob-nobbing with Parson Hugh Peters, the demagogue of the period. Now that peripatetic parson was tightly clutched in the merciless hands of the law, and awaiting his trial for compassing the death of the king's royal father. No one can fail to locate Godfrey at this period, the second week of October, for the regicides were being tried at Whitehall, and he remembered that they were the indirect causes of his misfortunes. Without doubt he was an interested spectator at this thrilling judicial scene;

[1] . . . "least you should have cause of chargeing me with neglect I have set pen to paper to let you understand what I heare in relation to New England. The complaynants against you to the Kings majesty as I am informed are Mr Godfrey and the company. Mr Reckes and Gefford and company of iron workes, some of the sometymes fyned and imprisoned petitioners whoe thought first to have made theyr complaynts severally, after resolved in joint by petition, moved to have the quakers and anabaptists joyned but they refused. I have endeavoured to have a sight of theyr petition but cannot procure it: but am informed that haveing mentioned the articles they petition for the distance of places does not admit of a way of heareing as being nigher it might. They move that a generall governour may be sent to give reliefe to them. To this petition they get what hands they can of persons that have been in New England though never inhabitants." (*Hutchinson Papers*, i. 322.) See, also, Appendices VIII. and X.

and when the conviction was accomplished and the execution day ordered for the 16th, he became one of the tumultuous crowd which followed the pugilistic parson as he was dragged on the hurdles from Newgate Gaol to Charing Cross. It was a righteous verdict and a just reward in the eyes of Godfrey, and when he strolled across London Bridge, and saw on a pole the ghastly head of the fanatical Hugh Peters, he honestly thought it a good warning to the enemies of the crown.

The Parliamentary Commission for the Government of the Colonies during the early years of the civil war now gave place to the Council for Foreign Plantations, a body of similar construction and powers. They held their first meeting December 10, 1660, and in March following took up matters relating to New England. The royalists, who had waited ten years for a favorable opportunity to present their cases, now exhibited themselves with their documents and arguments. Godfrey associated with Robert Mason in a petition dated at Whitehall, November 17, 1660, and on the 21st of January following they summoned all parties interested to make their appearance. No one responded for Massachusetts, although Captain Leverett was present and confessed that he had been their agent, but "now he had noe authority to appear or act in their behalf." This denial was met by Godfrey in a paper dated March 14, 1660.[1]

This interesting statement placed Leverett in

[1] See Appendix IX.

such a position that he sought to escape by acknowledging the possession of a copy of the patent of New England.[1]

We now have come to a sad epoch in the drama, which is developed at this point for want of definite data of its occurrence. In the letter soon to be introduced into the text, we are first astonished and then pained to learn that the patient, long-suffering old man, in the declining years of an embittered life, has drifted into the gloom of a debtor's cell at Ludgate, — at Ludgate, huddled with scores of wretched men of previous respectability, but of present impecuniosity! It is but little consolation to know that Strype says it was reserved especially for merchants and tradesmen who had met with reverses in maritime traffic; or that the curious pen of Roger Ascham, in an address to King Philip in 1554, when he came to London after his marriage with Mary, declares it to be "non sceleratorum carcer, sed miserorum custodia."[2]

It is not known how long Godfrey had been in Ludgate, when he indited a letter to John Winthrop, of Connecticut, who had just arrived in London, bearing a congratulatory address to King Charles from the people of that province on the glorious restoration. This letter to the son of his

[1] Captain John Leverett, wife and children, were licensed to go to New England April, 1662. (*Colonial State Papers*, v. 289.) They arrived in Boston July 19th following, in the Charles. (Hull, Diary, *Archæologia Americana*, iii. 202.)

[2] See Appendix XI.

old friend contains nothing of importance, being a bitter wail of an old, old man against the wrongs inflicted on him by his enemies.[1]

But he was soon called upon to bear an additional sorrow, which must have been a crushing blow to him. If we read aright, his "onely sonne" Oliver died, and was buried October 23, in the parish church of Seal, Sevenoaks, Kent, where he resided with his family.[2]

Godfrey was now childless and alone, an exile and a prisoner, and we do not doubt that the necessary regulations of his prison made it impossible for him to be at the burial services of his only son. Be that as it may, its depressing effect upon the aged governor may be well conceded, and it resulted in his cessation from the further prosecution of his claim for eighteen months. He had no heart for work, and when we hear from him again it will be for the last time that he rehearses the story of his wrongs. He makes one more appeal to the dilatory council in behalf of his far-off home in the wilderness of Maine, and it is all that is left to us to close up the sorrowful story of his struggles and disappointments. In early April, 1663, he writes to Povey, from Ludgate Prison, that he is "in great mysery except God rayses freinds," but he yet retained hope that

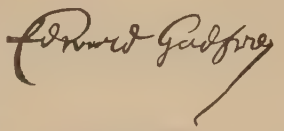
[1] See Appendix XI.

[2] "Mr Oliver Godfrey buryed this 23rd of Octob: 1661," from Registers of Seal, furnished to me, with much other interesting matter, by the vicar, Rev. Charles Edward Few, M. A.

something would be done for his relief. In this his last paper it is inspiring to see his belief in the future of the province of Maine, "w^ch is of more consarnement," he says, "than any pt of America as yet settled on by the English." It was a pride to him that he could say it had always been faithful "to his Ma^ties lawes" till rudely torn from the king's allegiance by Massachusetts, but he fondly hoped that Maine would once more be brought to the feet of royalty, a loyal and happy province of the crown. Then, being full fourscore years of age, poor and weak, he hoped but did not expect to see this desirable result achieved. Unselfish to the end, his last words were a tender of his papers to the service of the royal commissioners, the collections of "fifty five years Pilgrimage," sufficient, as he says, to "guide a right course."[1] Thirty-four years of his life had been spent since he first reached the virgin shores of the New World, and the fruits of his labor, "so dearly bought," had been filched from him by an imperious and unrelenting rival. Of all his broad acres on the banks of the "rivar of Agamenticus," not a foot was left to him for a burial place. It is recorded in the York County Court Volumes, 1667, in a suit against him "or his estate" for a debt of £8, that the plaintiff might take anything he could get, "if any estate can bee found." Thirty years before he was the largest land-owner in the town except the lord proprietor. It is not known when God-

[1] See Appendix XII.

frey died. The last we hear from him is in that letter of April, 1663, written from the dungeons of Ludgate.[1] There we leave him in the poor debtor's cell, where he had lived for two years. The end probably came soon after, for it could not have been delayed long; and Edward Godfrey, once governor of the province of Maine, who bore unchallenged the arms of Godfrey of Bouillon, the knightly king of Jerusalem, was probably thence buried as a public pauper in the Potter's Field, without stone or stake to mark his grave, and his name and story have been almost lost in the two centuries that have passed.



Signature, 1663.

[1] His will is not to be found in the archives of Somerset House, and it is not probable that he made one, with nothing to give, and the crown had no interest to record the administration of the estate of a pauper. This is the opinion of Rev. Mr. Jamblin, who searched the records for me.

APPENDIX.

LETTERS AND STATE PAPERS WRITTEN BY GOVERNOR EDWARD GODFREY.

1640–1664.

I.

GODFREY AND GORGES TO WINTHROP.

[4 Mass. Hist. Coll., vii. 348.]

To the Right Worshipfull John Winthrope, Esqr. these present speed in Boston.

Aggamenticus, 1 *March*, 1640.

Most Honoured Sir: — One Reuben Guppy of late comminge into our Plantation, and pretendinge much religion & a great zeal for the Ordinances of God, was entertained by a planter, but since ther haue come diuers reports vnto vs of his misdemeanors with you & that fear of punishment drove him away, & likewise this day have receaved a lettre from Captain Underhill, which expresseth the desire of Mr. Endicott to have him returned, which lettre I have sent you heerinclosed. The desire we have to satisfy his request & to ridd such fellows out of our Province, which have brought such a scandall on it, have caused us to omitt noe opportunity of sendinge him, therefore

by Sampson Salter, master of the Makeshift, you shall receaue him. Resolved are we that this Province shall be noe refuge for runnaways, for none comminge from another Plantation shall be Entertained heer without a certificate of his good demeanor, or uppon the knowledge of some of the inhabitants. Thus with our services tendered to you; commendinge you to the protection of the Almighty, we rest

Yours in all due respects,

THO: GORGES
EDW: GODFREY.

II.

GODFREY TO WINTHROP.

[WINTHROP PAPERS, UNPUBLISHED MSS.]

TO THE RIGHT WORSHIP JOHN WYNTHROP, GOV & RICHARD BELLINGHAM THES PRESENT AT BOSTON.

RIGHT WORSHIP[LL];

Having rec[d] yo[r] letter by John Webster consaring Añe Cronder who maid an escape & as supposed into this jurisdicti[n], onrecept of yo[r] letter wee sent fourth speciall & strict warrante, & dilligent search & Inquiry is & shal be maid for her, being found shal be Del[d] safe to Webster according to yo[r] order, & had hee maid any of us acquanted w[th] the busines at fyrst shee should not have staid heere one howre, & asshure yo[r] frends thes partes shal be noe place of Refuge for any delinquents that shall fly from yo[r] ptes heather, but shal be sent backe againe & shall in that or any other

matter obsarve y^{or} comds to the uttermost of our power, & rest

Y^{r} Worshipes to be Comded

Ed: Godfrey.

Basill Parker.

Acco this 5th 9br 48.

III.

GODFREY TO COUNCIL OF STATE.

[York County Records.]

To the Right Honorable the Counsell of State appointed by Parliament:

The Humble Remonstrance and Petition of the General Court assembled in and for the Province of Mayne in New England 5 December 1651. Whereas the Parliament have declared by an Act of the 3d of October 1650, that the Islands and other places in America where any English are planted are and ought to be subject to and dependent upon England and hath ever since the Planting thereof been and ought to be subject to such Laws Orders and Regulations as are and shall be made by the Parliament of England and for as much as we take our selves to be members of that grand Body thinking it the greatest Honour and safety so to be: freely and willingly subjecting our selves unto the present Government as it is now established without a King or House of Lords, and therefore we beg the Benefit of the Common Safety and Protection of our Nation and humbly crave

Leave to present unto your Honours our Remonstrance and Petition as followeth:

Humbly sheweth that whereas divers of the Inhabitants of this Province by Virtue of sundry Patents and otherwise have this Twenty Years engaged our Lives Estates and Industry here and regulated under the Power and Commission of Sir Ferdinando Gorges who had these Parts assigned him for a Province, now he being dead and his Son by his great Losse here sustained hath taken no order for our Regement and the most of the Comissioners dead and departed this Province we were forced and necessitated to joyne our selves together by way of Combination to govern and rule according to the Lawes of England. Our humble Request unto your Honours therefore is to confirm our said Power and Authority for our better Regement by Power from yourselves that you would be pleased to declare us Members of the Common Wealth of England and that we and our Posterities may enjoy our Imunities and Priviledges as freeborn Englishmen together with the continuation of such other Rights as we enjoy as Planters as also equal share of your Favours bestowed on the Colonies in these Parts.

Per me Ed: Godfrey Gov. in Behalfe of the General Courte.[1]

[1] "It is ordered y^t m^r Godfrey M^r Leader & m^r Shapleigh are with 10 dayes tyme to draw out a petition to the parlament in y^e behalfe of this province for the further confirmation of this present Government here established." 3 December, 1651. (*MSS. Records York County Court Files.*)

IV.

GODFREY TO RAWSON.

[York County Records.]

Sir.

I received a Letter bearing Date 12: D. m. 4. 52 [June 12, 1652] signed by yourself wherein we perceive you are owned by the State of England: under the Covert of whose Wings our Safety chiefly depends. For your Information of the Grand Patent of Plymouth sued to Quo Warranto it no way toucheth us: The fall of other Patents thereby is but onely your conjecture seeing that an act of Parliament November 28. 48 doth seem to evince the contrary: For our Perusall of your Patent and your Line: we apprehend the Bounds thereof were set more than Twenty years last past, at the Sea Side and so up into the Country from the Sea 3 Miles on this Side Merrimacke as all other Patents were which are no less than Tenn in number, that we perceive by the Extension of your unknown Line you now willingly labour to engraspe: For Subduing and Clearing Land a Possession is good [true]: But what Tract, Immunities and Priviledges we have is doubtful if we part with them we may be shortened of: as well as so many years past you did not procure any for settling or procuring Patents: For our Limiting either a Trespass upon you, our unadvisedly to gather a cracked Title to your Improvements and Posses-

sions I hope must be as in your Letter long since you counselled us lest to those whom it concernes to determine.

If this 21 years you have been contented We should govern by Virtue of a Patent with distinct acknowledgement of your lawful authority and have kept good correspondency with us We marvell much how you should be discontented of which we neither have nor [we hope] shall give you any just occasion for Resisting any Patent or encroaching upon your Jurisdiction, we utterly disowne: For submitting any Pattent to you if you have Right thereto it needed not: For a considerable Party of the People we know of none [Two Persons only excepted] whose ill Deportments have been such as the hand of Justice hath borne Witness against as well as among yourselves, as us: and were the number of such Persons more considerable, it were little Honour for you to proceed upon such an account: For your pretended jurisdiction over our Persons and Lands not appropriated as you say: they are appropriated to us and must not so easily be parted with: For sharing your Favours to us: By your Favours, Gentlemen we are loath to part with our pretious Liberties for unknown and uncertain Favours. For Hearkening to submitt you and your Protest against us, for any further proceeding either by Patent or Combination: We resolve to Exercise our just jurisdiction till it shall please the Parliament the Common Weale of England, otherwise to

order under whose Power and Protection we are. For your Streight Line from the East Sea to the West Sea I marvell you go from your Bounds to the In Land. For Artists to measure your Extent in occasion if necessity require we shall understand a little Geogrify and Cosmogrify. For Peace and Equity we have ever aimed at and still continewed and will to the utmost of our Power endeavour the Glory of God the Peace and Good of the Country in General, remaining

Your Lo: Friend

EDW: GODFREY Governour

Province of Mayne Pisca: Rivere

Month July 9 '52.

V.

GODFREY TO COUNCIL OF STATE.

[COLONIAL PAPERS, PUBLIC RECORD OFFICE, XI. 70.]

PROVINCE OF MAYNE THE *6th of November* 1652

RIGHT HONORABLE.

God who hath made all nations of one [family] to dwell upon y^e^ face of the earth, And hath appointed the bounds of their habita[tions] By his pvidence hath designed us to possesse and inhabit a tracke of Land part of y^e^ Continent of America, called y^e^ Province of Mayne by the late Kinge in his letters Pattents to S^r^ ffardinando Gorge for the Government of the same, who by his deputies did for many Yeares exercise jurisdiccon amongst us, Hee at lenght dissertinge us : ffor our better Rege-

[ment] wee were forced to enter into a combination for Governmen^{t} as by our Remonstrance & Petition to your Honnours in December last 1651 more at large doth appeare.

Since w^{ch} time takinge notice of sundry Acts of Parliam^{t} the one of them declareinge all the Islands & Planta[tions] in America to be dependant uppon & subordinat to [the] Commonwealth of England. And in obedience thereon wee have taken ye Ingagement to the same and ꝑceede accordingly in keepinge our Courtes & Issuinge furth [our] warrants in y^{e} name of the keepers of the liberties [of] England according to an act beareing date the . . . January 1648.

And Conceaveinge our selues to be members of the Co[mmon]wealth of England, thinke it our bound in duty to your Honours an Accompt of all our one ꝑceedings, the ꝑceedings of our neighbors of the Massetuss[etts to]wards us who of late lay Claime by vertue of their Pattent, both to y^{e} Government & ꝑpriety of the [Province] although wee haue quietly possest Improued, And [inhabited] it this twenty yeares w^{ch} themselues haue owned By severall Letters from their Generall Court, as dist[inct] from them, their bounds beinge formerly sett out by the State of England three miles this side Merimake River w^{ch} Comes ffarr short of this Province severall other Pattents lying between theirs & ours who haue likewise formerly exercised Government distinct from them now therefore our Humble request is y^{t} your honors bee pleased to

give Audience unto our Agent Mr Richard Leader whome wee have Impowr'd to transact in our affaires, And to whome wee humbly desire you to manifest your favours towards us, who in faithfulnesse Remaine

Yor Honnrs to be Commanded

EDWARD GODFREY Gouer

in the name & by the order of the General Court.

VI.

GODFREY TO GENERAL COURT OF MASSACHUSETTS.

[MASSACHUSETTS ARCHIVES.]

30 OCT. '54. TO THE HON. GOV. DEPUTY GOV. THE MAGISTRATES AND DEPUTIES OF THE COURT NOW ASSEMBLED, THE HUMBLE PETITION OF EDW. GODFREY OF THE TOWN OF YORK.

Sheweth that he hath been a well willer, incourager and furderer of this Col. of N. E. for 45 years past and above 32 years an adventurer on that design, 24 years an inhabitant of this place, the first that ever bylt or settled ther; some 18 years passed by oppression of Sir Ferdinando Gorges was forced to goe to England to provide a Patten from the counsell of N. E. for himself and partners, the south side to Ferdinando Gorges, and. onely the North side to himself and divers others his associates. Certain years after some settlement the inhabitants petitioned to have their lands laid out and deeds for the same, which was granted and by

that occasion the whole Bounds of the Pattent were divided as upon Record appeareth, but since that time the inhabitants have been so Bould as amongst themselves to share and divide those lotts and proportions of land as were so long time since allotted being not proportionable and considerable to our great charge, as by a draft of the river and division of the same will appear to this Hon. Court this division was made by order of Court and by all freely allowed in Anno 40 and 41 and since, when wee came under this government confirmed as will appear. And the proportions to be lesse than many that came servants, all the marshes almost disposed of by the inhabitants and their petitioners, rentes and acknowledgements detayned having not marsh left him to keepe 5 head of Cattle, in this cause it pleased the Council to send a Summons to the inhabitants and some of York by name which I heere was faithfully and safe delivered unto them in time which I presume they will obey.

Humbly desireth his cause may be heard and judicated by this hon. Court.

The magistrates desire the case in the petition shall be heard by the whole Court on the fourth day next desiring their brethren the deputys consent thereto.

The deputies consent hereto

E. Rawson Secretary.
Wm. Torrey. Clerk.

VII.

GODFREY TO PARLIAMENT.

[Colonial Papers, Public Record Office, xiii. 79, Printed Broadside.]

To the Right Honourable The Parliament of the Commonwealth of England and the Dominions thereto belonging. The Humble Petition of Edward Godfrey, Oliver Godfrey, Fardinãd Gorges, Robert Nason, and Edward Rigby, Henry Gardner, and sundry others of Pattentees and Inhabitants of the Provinces of Mayne and Liconia in New England.

Most Humbly sheweth Sundry of your Petitioners having bin versed in the Oriental parts of the World, in the same Latitude as New England is to the West, hoping to fix them and their Posterities for the Honour of God, good of the Nation, and propagating the gospel, with hope of improvement for future, at great charges procured sundry Pattents in the parts of America call'd New-England; with divers priviledges as may appear: possessed themselves of divers tracts, and parcels of Land, where never any Christian Inhabited, and for the space of 30 years past have Inhabited the same. In the first accompanied with many difficulties and charges; to loss of nigh £100.000, and some of our nearest Relations slain by the Indians; have propagated and populated that part of the Country without one-penny of the vast sums of the

Benevolences others (as the Machesusets) have had out of England; and quietly and peaceably governed our selves by derivation from England, and power of our priviledges by Pattents; and that as nigh as possible to the Laws of England, and ever acknowledged by the Gentlemen of the Machesusets as distinct from theirs; as we under all their hands can shew. And now this Honourable State, and all our Collonies in America receive more benefit from those parts then from all New-England besides. But of late we taking notice of Acts of Parliament [16]48 expressing and commanding all our Collonies in America should take the Ingagement and accordingly we did proceed in issuing out our Warrants, and taking and giving the Ingagement and advised this Honourable State thereof; as may appear: which the Inhabitants of the Machesusets did not. Upon that and other pretences by strong hand and menaces to bring all or the most part of that vast Country under their power and subjection have subverted the Ancient Government, deprived us of our priviledges, Pattents, and Interest therein: and imposed on us an oath of Fidelity to their State, without any relation to England: * to somes utter ruine, and their Families undoing: as by sundry Petitions and References by the late both Protectors may appear. But in regard of mutation of Government nothing effected. Godfrey (one of the Petitioners, being 75 years of Age) coming and hoping for some redress

* Whatever my Boddy was inforsed unto Heaven knowes my soule did not consent unto.

and relief 4 years here expended, finds the cure as bad as the disease: having served his Country 46 years in civil Imployment, at his own great charge as by ample and Honourable testimonies may appear, of his extream poverty is not ashamed. Humbly desireth the buisness may be taken into consideration either by your Honours, or the Referees, and fully examined; for the Honour of God, good of his Country, which he ever esteemed as dear as his life, and the reputation of him and his ruinated Family, as precious as his Eyes: his Proceedings and Collections of 55 years Pilgrimage may be made manifest; and the rather as he most humbly conceives, there is matters of high concernment of State involved in it. From Newfound-land, to Cape Florida, he hath the Mapps, and Cards, of his own, French, Dutch, and English, of which at present he presents these few some observations or notes:

First. If the Maps and Cards were spherically drawn and Printed, and each Pattents to bee bounded, their acknowledgements looked into, what not performed or not granted in, the Honourable State to grant, Customers would not be wanting.

Secondly. For Newfound-land the Corn sown at vast charges, long time and many miseries, and losses sustained, I know by experience, at present profitable to the Nation yet falls for want of Harvesting.

Thirdly. Nova Francia, Scotia, Cape Britton, if

taken into consideration how the French in some parts did proceed with us, how we at present, and what may be (if rightly undertaken by some corporation of the West Country as Barnstable or the like) may be the profitablest that ever the English undertooke in America.

Fourthly. The Pattent of the Machesusets one of 30 besides being bounded by themselves 30. years past according to their limits, which is 50 miles by Sea Shore, 3 miles South of Charles River, 3 miles North of Merrimack their unlimited power to ingrasp so many other Pattents, (some granted before theirs) their proceeding how most dangerous, perjudicial, and unprofitable to this Honourable State, under favour can shew.

Fifthly. The Dutch, or New Netherlands, their intrusion, insulting, unjust claim, the Center, Heart and Bowels, of the Country, Hudsons River, this year the mouth, Delewar Bay, and Canada River to be theirs, and grant sundry Pattents (their proceedings he hath at large :) 55 years we have beat the Bush, now they catch the Bird.

The Premises considered, the English are better fixed in those parts, for Health, Trade, discovery, then the Spaniards, in the West India, breeding able Seamen, building Shipping; Fishing, Subduing, numerous Nations to us, and them to Christ, and more Sea-men bred, Shipping imployed, Trade, and Profit from those parts at present is reaped then all England had 50 years past.

And your Petitioners shall pray &c.

[At the bottom of the page on which the petition is printed is written the following memorandum by Governor Godfrey.]

For propagating and planting Jamaca let the sault panes be clered and sawe mylls erected yf but by horses, you may have from our north parts, all sortes of provitions and supplyes of men seasond of the Arreares of fishing viadges att ½ chardges as out of ould England.

[Endorsed]

A Petition of Mr. Godfrey concerning his interests in New England.

This was after Richard Cromwell was out.

VIII.

GODFREY TO COMMITTEE FOR FOREIGN PLANTATIONS.

[COLONIAL PAPERS, PUBLIC RECORD OFFICE, xx. 19.]

MR. GODFREYS INFORMATION OF A COMMITTEE SITTING AT COOPERS HALL ON BEHALF OF THE MASSACHUSETTS.

According to your Commands I have endeavoured to screw into the Great Benevolences that have been so publicly knowne to propagate the Gospell in New England, but in efect to bee there a free Stat the privat acting as yet I conseall, there is a snake in the weeds.

There is a Corporation sitting formerly at Cooper's Hall commonly one Satterdayes from 9 to 10

o'clock for the Business. Hugh Peeters confessed of sixty thousand pounds and the last yeare they said they had purchesed land to about 1000£ per ann: but shrunk now to 700£, the[y] Izerilites, I an Egyptian conqured of them by the teeth of their swords: I most humbly petition to have something heer to relieve me 8 years exturped of my meanes with obligation what I had heere should be there repaid out of the Gleanings of my harvest they had reaped and for my most faithful service 30 years amongst them, the first planter, a vast estat spent my nearest relation in the discovery slain by the Indians and my onely sonne ruenated by the Cuntery and I a Governor 20 yeares and my services in his Majesty's time of Charles the fyrst for them and the Country in generall. There Aneswer was there Brethering ther and heer could not bread order or to that effect. In fyne they were Izerelites, I an Egiptian. The stat of the business is there is one Smith that I met att Mr. Attorney Generalls sollicits to have there Pattent removed. The Clarke or Secretary is one Mr. Houper att Turner hall in Philpot lane.

Mr. Asshworth att the Keaye in watling street.

Alderman Peake at 3 Arrowes in Cannon Street

Mr. Rolfe a scrivener at backside of the exchange near the shippe tavern.

Mr. Michelson att the Angell a linen drapers in cheapside.

Mr. Walner a wollen draper in Gratious street.

Mr. Bell att Tower Street.

None eether there or heer had any Acting in these affayres that did not idolize the Church Covenant.

The Great mulcts and fynes uppon thos of the Church of England onely for petitioning to have the liberty of free born Englishmen can shew since a considerable vallue. Ther tribut of the Indianes they yearly receive a considerable sum. This for [the] present till I see you I rest yours to be commanded.

ED. GODFREY

London Adi 19, feb: 60.

IX.

GODFREY TO MR. SECRETARY POVEY.

[COLONIAL PAPERS, PUBLIC RECORD OFFICE, XV. 32.]

LETTER AND INFORMATION OF GODFREY CONCERNING THE USURPATION OF BOSTON:

HONORED SIR.

With most humble thanks for your favorable Aspect uppon me in this my totall Eclipsed Condition I presume to give you thes few lynes for Capt: Jo: Leverets not appering as Agent for the Massachusetts.

1. To considder his acting ther in subjugating the Estern parts in New England presumtiusly and audatiusly without any power from England the proceeding if he will not shew I have a Coppy and Jo: Bakers depositin heer. After 3 yeares there

spent in vane for redress, I came for England meeting hime shewed him my papers and Complaints hee wished mee to stay tell he had one store of Letters for redress 2 years stayed noe Aneswer.

2: Then I got a reference from O: P: nothing effeted then one from R: P: the referes met divers times, hee bid them acte and acknowledge him selfe Agent for the Mathechusetts.

3: This last year Mr. Beckes deposition proves him Agent then.

4: In this Reference now of Mason and Godfrey though att fyrst hee refused yet a procise being fixed one the Exchange and delivered 24 hee made an excuse.

5: The next meeting hee excused and sent a Letter with a Copy of one sent him from ther Court accusing the receipt and Copy of our petition which Answer is most unjust and untrue as by the sundry depositions may appeer.

His presenting the Cuntery Adresses to his Majesty. I beseech you remember to be with the referes at Doctors Commons being Tusday 19th of this instant march.

Your sarvant to bee commanded,

Ed: Godfrey.

Consarning the Regiment of New England for his Majesty's best security and safest waye as I humbly conceve in regard I knowe the Cuntery from the fyrst discovery lost my nearest relation

slane by the Indians and I having faithfully att my owne Charge served the Cuntery 25 years by duble recognisence my oth to my God my discression experience and fidelity considered: which prayse bee God I performed till evicted by the Mathechusetts you know in part my only sonne his life and time there spent 2 viages and comming for to transport his wife and family heering of my ruen abides yet heer I presume to give you thes few lines.

I ever tould you that Pascattowaie River and the p'vince of Maine is of more consarnment to his Ma^ie^ for trade present and futuer w^th^ discovery of the Countery than all New England besides, and other reasons as by the mappes may appeer, wheather it bee not fitting yf a generall gov^r^ should goe the jurisdiction of thos Estern p^ts^ may not bee regulated by comition as formerly thirty [years] w^th^out complaint ther or heer nor never questconed till 1652. Boston would be a free stat and sundry pattents.

1. The distance ny 80 miles dangerus by sea and in wynter not pregnable for divers reasons as snow wading &c.

2. It will discurridg any publique men to undertake the like action being roume for many 1000 famylies, after 30 years to bee debarred of ther priviledges.

3. His Ma^te^ will have more power over booth, the one to bee instrumentall to keepe the other in its dew obedience.

4. It will cause an emulation who shall give the best acc^{o} of the actions to the Supreme power on w^{ch} all the pattentes depend.

5. Some of the Pattentes have ther Relation heer and for extracting long experience in the Countery, equall with any in Boston and have ever acted for his Ma^{tes} interest, have pattents com^{rs} form'ly and now living ar Capt Henery Josseline, Capt Francis Champernone, M^{r} Tho. Jourdan an orthodox devine for the Church of England and of great p^{t}s and estate, M^{r} Jo: Geffard goeth this yeare M^{r} Joseph Mason ther for Ed: Godfrey hee is to ould to acte, yet Oliver Godfrey his sonne and grandchild being well versed in the Countery yf com'ded will wth the p'sidentes of Ed: Godfrey assist to the utter most ther life and power. Excuse my boldness being y^{r} ever obliged servant to be com'ded.

ED: GODFREY.

[Dated 14 March 1660. Part of the address is torn away, the remainder is: For the Rig. . . . Thomas (Povey?). It is endorsed as follows:] The information of Mr. Edward Godfrey sometimes Governor of the Province of Mayne concerning the consequence of that Province and the usurpation of the Bostoners.

X.

GODFREY TO MR. SECRETARY NICOLAS.

[Colonial Papers, Public Record Office, xv. 20.]

For the honourable Sir Edward Nicolas Knight Secretary to his Majesty thes present:

Honoured Sir

I formerly gave you in Print an Appendax to the petition to the usurper Cromwell and Parliament consarning the North part of America Granted by bothe the last kings of ever blessed memory, but held in these times one particular Pattent of the Massachusetts att Boston in New England have usurped all most all the Cuntery to ther subjection being Gente inemica to loyalty in practice to bee a free state being turned out of my Pattent for lyoly came to give an account of 55 yeares travell of which 46 in civell employment for my Cuntery 27 there aged 77 years. If an object of pitty move you not yet piety for Gods Glory and profit to his Majesty and securing those parts to his majestys dew obedience suddenly you will vouchsafe to affourd a few mynutes to peruse the needfull may att present bee presented by Commition, which hereafter may be dangerous and chargeable of hyer consarnment than if all the Baltic Sea were annexed to his Majestys Empier. If I cannot bee hard have I formed my Duty hav-

ing suffered 8 yeares and more for all my services for my Cuntery like to perish for want I rest.

Your honours Sarvant
to be commanded
EDWARD GODFREY.

[Endorsed:] 15° July, 1660.
Mr. Edward Godfrey
concerning America and New England.

XI.

GODFREY TO JOHN WINTHROP, JR.

[4 MASS. HIST. COLL. VII. 380.]

FFOR THE WORSHIP^LL JOHN WYNTHROP SOME TIMES OF NEW ENGLAND THES PRESENT IN LONDON.

HONORED SIR: Prased bee God for your safe ariuall in England. I macke no question but you haue hard of hard vsage I haue had & suffered in New England sence your ffathers death & your departuer from that part of the cuntery, by means of Ca: Thomas Wiggenes, Broadstreet & some of the Grand toyns Deputies entering one our Pattents. & lands to the vtter ruen of me & a hoopfull famyly, exturped out of more then all thes 8 yeares, caused mee to haue many complaintes: the proceeding m[a]y touch the cuntery in generall. Att present ame restraned of my liberty, soe not able to geue you a full relation. I desyer you, soe soune as you conueniently you can, to giue me a

vissett in this place & desyer Mr Sa: Mauericke to doe the like ; it may be worth this labor. I rest

Yours to bee commanded

EDWARD GODFREY.

Ludgate adi 5 8tober, 61

An ill requitall of the vlger to reward euell for good, against the cheefe majistrates willes, for all my faithfull seruis att my owne char[g]e, 26 yeares.

XII.

GODFREY TO MR. SECRETARY NICOLAS.

[COLONIAL PAPERS, PUBLIC RECORD OFFICE.]

SIR :

I haue form'ly wrot you a breefe description of the p'vince of Mayne, how it standeth att p'sent, know y^{t} Columbus offered the discovery of the West India to Henery the 7th, you ar att present offered a tracte of lande all reddy discovered and in pt populated wth Inglish w^{ch} for futuer and discovery is of more consarnement then any pt of America as yet settled on by the English and that you may have p'sent p'fit wthout 1^{d} charges, honor and good to yo^{r}selves wth you and my Lord Roberts sonne M^{r} Hender, glory to God, good to his Ma^{tie} benyfit to yo^{r}selves and good to the whole countery. Send but for Gorges to M^{r} Francis Lutterells at Grase Inn and taulke wth him you will fynd him a man capable of such a great busines to bee the undoeing of soe many loyall subjects and suffer

those p'tes of the w^{ch} till 1652 had ever lived according to his Ma^{te} lawes as by the report you know and y^{r} hand testifieth, but now is mad a receptacle of those of Heugh Peeter, Vane: Venner: Baker: Potter, who to avoyd ther p'ciples fly theether (con sacer in sacro) for shelter and keep us loyall subjects out of our inheritance after thirty yeares possession soe deerly bought now in great mysery except God rayes freunds. I humblie desyer you to taulke wth mylord Roberts sonne M^{r} Hender and that I may know y^{r} resolution, though Gorges grandes have plundered my house in New England and possessed themselves of most of my collections, records p'sidents and paps of fifty-five yeares travell I have sufficient heer to guid a right course and settell thos pts as formly to any reasonable man, and that wthout 1^{d} charges but p'sent p'fitt to the undertakers. I humbly crave two words in answer and rest.

Yo^{r} sarvant to be considered,

EDW. GODFREY.

Ludgat, Adi 7 Aprill 63.

At the cloesing heerof nuse is brought me that one M^{r} Nicoles belonging to the Duke of Yorke is to goe for New England w^{ch} if you may inform him of me, I have all passages of forty yeares in that countery will serve him and you what is needful.

EDWARD GODFREY.

XIII.

[EGERTON MSS. (BRITISH MUSEUM), No. 2395.]

QUERIES & OBJECTIONS AGST THE MASSACHUSETTS ENCROACHING POWER UPON SEVERAL OTHER PROPRIATIES.

1. For their figg leafe to cover the extent of their Patent. When they tooke their Patent whether by bounds known or unknown, the Inland nor scarce the Maritime then not known when they sett up their bounds thirty years passed never questioned farther, the denomination ever was at the sea-side, and Merrimacke is by that name, but is miles up to Pemturket after sundry denominations.

Objections agt their proceedings

And their Patent bounded 50 miles only by ye Sea-side

2. The great House Patent My Lord C: Say and Lord Brooks, and divers others were granted before theirs, and in all except before excepted

3. At the Councill Table Aprill 1638 all Patents were questioned, the Mapps of the Country produced, and theirs sued to A quo warranto, and sinc some others confirmed and some granted. What Godfrey then said is known.

4. South on Pascattaway the River has one denomination, but 6 miles up, 10 disemboging to it, of sundry denominations, the like of Merrimack, many more

5. Possession improvement att vast charges, 27 years, where never any English were a House for y^{e} worship of God, indowment

300li Charges.

of Minister, Prison Fort &c. And Regiment quietly, and ever by them acknowledged as distinct from theirs, as may appeare under all their hands and so carried, and att the Pattentees charges without paid out of England which they have had, and never took care for our Regiment or Religion till 1652, that wee writ the Hoble State and took the Engagement.

6. It was a great oversight in them not to sett up their bounds att first to comprehend Pascattaway being of more concernment then theirs and granted as abovesd to sundry Patentees & possessed 30. years.

7. For the Inhabitants to submitt to them is most false as by their Engagement petition and writing appears.

8. The unlimeted power without the least Authority from this Hoble State ought not to be questioned.

9. If they object they had of late Answr if 2. 3. or 4. delinquents did raise a Mutiny to submit under them, and heere censured, no honor to take men on such Accotts

The premises considered whether it be not more fitting those Eastern parts having been populated att the sole charges of sundry Patents these 30 years accompanied with many mysseries, and have exercised Jurisdiction taking the Engagement, and according to their petitions may not have their lands and priviledges for it was not the land only but the priviledges after all conditions performed

and vast charges for Endowment of Minist^r^ meeting house, Forts and prison for delinquents, for now the taxes are intollerable, and 10 times more then formerly. And the rather even in point of Policy of State, as I humbly conceive it will be more advantagious to keep the Government divided still as it hath been these 29. years without any complaint or disturbance of the Massachusetts (as they have had) for divers reasons

1. It will discourage any undertaking for the like action there being roome for many thousands and place to sitt down of higher concernment then any yet settled on.

2. The Common wealth will have more power over both one to keep the other in its due obedience if any difference should come in any Collony and to depend on the Ho^ble^ State of England

3. It will cause an Emulation who will give the best account of the proceedings.

4. Some of the Patentees have their Children & Estates here, and will provide to give an acco^t^ of their Actions.

5. Some of those formerly have been intrusted by double recognizance their discretion judgment experience and fidelity intrusted these 27. years there, and formerly in other parts, now some turned out of all, divers not to be chosen nor have voice in the sun sett of their Age made the ofscum and scouring of the people and must if they stay petition their Servants to be good to their Masters children. nor have not the freedome of free born English.

The former Comm^rs were

Capt Henry Josseline
Capt Fran: Champnoon
Capt Nich: Shapley
M^r Rich^d Cuttes
M^r John Cuttes
M^r Th: Jordan
M^r Geo: Cleaves

These if it please his Highness to think good to nominate & impower the Country to choose others.

A generall Gov^r ought to take it into consid^r-ac̄o if not in time p^rvented they be a free State, they may subsist better then any Empire or Kingd^e or State of y^e World, and in a few years be more potent then y^e Hollander, they nothing, this wants nothing.

M^r Edw^d Godfrey ys old and his soñe M^r Oliver Godfrey are for ever discouraged to go back att 1000^li loss

Queries.

1. Whether the proceedings of the Gen^t of the Massachusetts Patent in subjugating all the Eastern parts and Patents without power or Commission from his Ho^ble State have been by Jus Gentium Lex. Law of our Country or Cancelarium. This point to be considered of their Pattent and others

2. Their first Intrusion M^r Bradstreet, and Tho: Wiggens entring on the lands of the said Province of Maine by power.

3. Godfreys letter of prohibition to be produced 10 xbr: 51 the Inhabitants having taken the Engagem^t and advised this Ho^ble State by peti^n and Remonstrance were such a Capitall Crime as to loose all, being in duty bound thereunto (though they did not) yet y^e Act of Parliam^t commanded it till when they never questioned us.

4. Capt. J. Leverett: Hathorn & the rest proceeding, their Generall Courts Order, and letter

with Ed: Godfreys Ans^{wr} if all perused will shew a Snake in the weeds.

5. Godfreys 2. letters to the Hon^{ble} State being Govern^{r} to be perused

6. There was sent from their Generall Court Comm^{rs} viz^{t} M^{r} Symon Brodstreet. M^{r} Sam^{ll} Symonds, Tho: Wiggens, Brian Pembleton wth their Marshall with power to raise the county forces of Norfolk and Suffolk to compell us by force of Arms, who went from house to house threat^{n}ing and perswading if they did submit wee should enjoy all our Rights and priviledges either by Pattent or otherwise that Wee did enjoy. Belle Parole et latine fatte, so most did submitt to their Governm^{t} of that State without any one word of relation of the State of Engl^{d} and our Thraldome worse then the Greekes under the Turkes and p^{r}formed not one word as by the Copy of my 3. pet^{ns} and the Answer. to a legall proceeding by the Courts, soe after 3 years loss of time, vast expense, as by the proceedings may appeare, my Pattent Judged by them void after 25. years possession they making it a Township could not performe my Covenants with Tennants and Servants all or the greatest part of my lands Marshes and all priviledges taken away forced to leave all after 5. years expence of time & labor of 27. years, if so permitted it will be a discouragm^{t} to any to undertake the like, for this is the ruin of one that first adventured for the Country and hath faithfully served it thirty years.

have form^{r}ly regulated and now at present

10. Head of Cattle starv'd, my Marshes taken away

How instrumentall Godfrey hath been, and att what vast Charges hee hath been att, both for propagating the Gospell, advance of the Countrey and Common wealth, their own hands will testify being now 76. years of Age, hee and his whole family utterly ruinated after 1000^{li} spent, many miseries, labors, losses inevitable, and troubles not a few, would be content to have so much to live on as $\frac{1}{4}$ of the publick charges hee hath been at there, it would desire a volume to declare.

The Hon^{ble} State looseth Reservations of Rents, & acknowledgments of 30. other Pattents to the said lands and granting other Patents where not granted for places of high concernm^{t} as can make appear.

[Edward Godfrey.]

XIV.

CATALOGUE OF PATENTS.

[Colonial Papers, Public Record Office, ii. 16.]

A Cattalogue of such Pattentes as I know granted for making Plantac̃ons In New England.

Imp^{s} the Originall Patent granted to divers Lords some times in the Custody of Tho. Eyres, The Lords granted others. The Councell of New England.

1622. 1. A Pattent to David Thompson M Jobe, M Sherwood of Plimouth for a p^{t} of Piscattowa River in New England

2. A Pattent for a Plantation att New Plimouth to make a Corporation w^{ch} is p'formed.

1628. 3. A Pattent of the bay of the Massechusetts Bay 3 my. South of Charles Riuer and 3 myles North of Merrimake 50 myles by sea shore but now haue subiugated most of the Cuntery wthin thes 10 yeares.

4. A Pattent granted to Capt. Jo. Mason of Agawam now pos'sed by the peple of the Mathesusets.

5. A Pattent granted to Cap^{t} Jo: Mason and Sir Fir: Gorges for discouery of the Great Lakes. nothing ther in done.

6. A Pattent to Sir Fir: Gorges Cap^{t} Norton and others for the Riuer of Accamenties w^{ch} was renewed by Edward Godfrey 1638: & p'palated wth inhabitance most att his charge and regulated 25 years, but now oned by the vnlimated power of the Mathesusets and by them caled York as by pet'^{os} may appeer.

7. A Pattent to Sir Fir: Gorges and divers others of a plantation and the sea coast of Pascatowal now . . . it and sundry others, vnder

8. A Pattent granted to Ed. Hilton, by him sould to m^{r}hants of Bristoll they sould it to my Lo. Say and Brokes, they to sume of Shrusbery: in Pascatowa many towns now gouerned by y^{e} Mathesusets.

9. A Pattent granted to Jo. Stratton for Cape Porpase.

11, 12, Two Pattents to Ric. Vines & Tho: Luis for p^{t} of Saco Riuer.

13. A Pattent to Capt. Tho: Camoke for Blake poynt.

14. A Pattent to Mr Trelany of Plimouth for Cape Elizabeth.

15. A Pattent to Capt Leuit for a Plantation att Casco.

16. A Pattent for a plantation att Pechipscott.

17. A Pattent for the Corporation of New Plimouth for Kenebecke

21. A Pattent to Oliuer Godf . . . & others for Cap. Nesick.

18. A Pattent for Mr Crispe and others for Sagadahoc

19. A Pattent for Mr Aldsworth and other of Bristoll for a plantation att Pemaquard.

20. A Pattent of Richmonds Iland and 1500 ackers on the Mayne.

Quere what other Pattents haue binne granted by the Earle of Warwick, Lord Gorges, Sir: Gorges and others presidents of New England Company.

Noat in all thes Pattents ther is conditions to bee ꝑformed and bounded wth reservation of Rentes.

And sundry places yet to grant, as I humbly conceue by this Ho. Stat and not by the State of the Mathesusets wch yf not louked into may bee the inuinsible State of Amerrica.

The Pattent aboue out of the bounds of The Mathesusets or the vnited Collones and of whom the sd vnited Collones as Conecticut, Ilands of Errus, Newhaven and The rest had ther Pattents

noe appeales suffered from the Mathesusets in New England to ould England.

Neather the Pattents to the Estwards euer had 1[d] of their vast beneualence they haue had out of England and yearly haue what hath binne collected and heere disposed of is knowne to them and ther Agents heere, wheather Godfreys letter to the Ho. State heere ware soe Capitall a crime as to lose his Estate

Yf the Mathesusets bee suffered to bee a free State the danger great.

may as yet onely by letter bee preuented yf by Comittion or a generall Gouernor at p[r]sent the consequence I leave

[*Indorsed.*] A List of sundrey Patents that haue binne granted for New England.

COLLATERAL DOCUMENTS.

XV.

WILL OF ELIZABETH GODFREY. DATED 19 JAN. 1621.

[LITERARY DEPARTMENT (ROCHESTER RECORDS) HIGH COURT OF PROBATE, SOMERSET HOUSE.]

In the name of GOD, Amen. y^t^ 19^th^ day of January, in y^t^ year of our Lord God 1621, & in y^t^ year of y^t^ reign of our Sovereign Lord James, by the grace of GOD of England Scotland, France & Ireland, defender of the faith, that is to say of England France & Ireland the 15^th^, and of Scotland the 55^th^.

I, Elizabeth Godfrey, of Barn End in the Parish of Wilmington in the C^y^ of Kent, widow, being in perfect mind and memory, laud and praise be given to Almighty GOD for the same, yet considering y^e^ frailty & uncertainty of this mortal life, together with the uncertainty of certain death, do therefore make & ordain this my present Testament, declaring therein & thereby my last will & Test^t^ in manner & form following — that is to say,

First and Principally, & above all earthly things, I commend my soul into the hands of Almighty

God my Creator, assuredly believing to have full & free remission of all my sins & iniquities by & through the merits, death & passion of my only Saviour & Redeemer Jesus Christ, and by & through Him to be made partaker of Eternal happiness appointed for the blest in y^t^ Kingdom of heaven. and my body I remit to y^t^ Earth from which it came in hope of a blessed resurr^n^ at y^t^ latter day.

And as touching & concerning y^t^ disposing of all such temporal goods or effects wherewith it pleased God in mercy to endow me, I will, devise and bequeath the same in manner & form as followeth, that is to say, *First, I Will and my mind is* that all such debts, duties, sum & sums of money as I shall owe, or of right ought to be paid by me unto any person or persons whatsoever at the time of my decease, shall be fully satisfied & paid as shortly & with as much convenient speed as may be after my decease.

Item, I give and bequeath unto my daughter Catherine £20 of lawful money of England to be paid unto y^t^ said Catherine upon y^t^ 25^th^ day of March, being y^t^ Annunc^n^ of our Blessed Lady the Virgin 1623, or between this and then.

Item, I bequeath to my said daughter Catherine certain furniture &c

Item I bequeath to my daughter Leere, £3, black gown &c

Item I bequeath to my daughter Maria 40^s^

Item I bequeath to my daughter Elizabeth 20^s^ & 20^s^ apiece to her two daughters Dorothy & Sara Browne

Item I bequeath to my daughter . . . 10^{s} [illegible.]

Item I bequeath to my daughter Sara my best petticoat & to W^{m}. Ditton her husband 10^{s}

Item I bequeath to my son William Godfrey 10^{s} & to his daughter Elizabeth 10^{s}

Item I bequeath to my son Thomas 10^{s}

Item I bequeath to my son John 10^{s}

Item I bequeath to Robert Werridge £5

Item I bequeath to the poor of Wilmington 20^{s}

Item I do make & ordain & constitute my Son Edward Godfrey my sole ex̄or & do give & bequeath unto him all my Lord's goods & chattels, discharging & paying all those former legacies according to this my last will and Tes^{t}.

ELIZABETH (*E G*) GODFREY.

Witnesses { WILLIAM MONILEY. Minister of Wilmington. MARTIN BEST *M B*.

XVI.

PETITION RELATIVE TO YEO & CO.

[YORK COUNTY COURT RECORDS, MSS.]

The petition of Mr. Ed: Godfrey — Sheweth y^{t} y^{or} petitione^{r} exhibited his petition July last past, for the restoring him leagaly to the possetion of y^{e} howse sometimes Allen Youe's & Company, but the materialls and the land one w^{ch} it was bylt, yo^{r} petiti^{r}, and hee must pay the carpenter, and

Yeo dying deply in yo^{r} petion^{rs} debt wth other of the company & ¾ being made over unto him with other his just titell therunto as pr. the peti^{n} may appear, upon w^{ch} this Court did order Mr. Tho. Foules should be wrot unto by them by what right or title he should sell the same for 40 shillings so it pleased this Court to send him a letter under all yo^{r} hands that hee should shew cause why yo^{r} petitioner should not have the house as the copy doeth appeare: the sayd letter was delivered by y^{r} petitioner unto John Harker who bought the house to be del^{d} to the said Mr Foules, whose answer was if Mr. Godfrey had better right to it than he let him take it.

Now yo^{r} petition^{r} request is y^{t} posetion of the same may be delivered unto him & yo^{r} petition^{r} will be bound in what some you please to paye the Carpenter the 40^{s} w^{ch} Mr Foules sould it for. if it may appeare that hee had any just titell therunto, & to answer him or any other in any acco consarning the same. Now for as much as it appeareth Mr Godfrey is out for more than the howse is worth by Allen Yeo & Company & he is to paye the carpenter ¾ mad over to him the bourd and nayles his and other allegations as the stage and bourd from him; It is ordered by this Court that the Marshall del^{r} the sayd Mr Ed: Godfrey possetion of the said howse to him and his heires and assignes to ther use: if Jo^{n} Harker W^{m} Browne or any other will have a review or a tryall of the title Mr Godfrey is bound in 4£ to answer the sut.

I doe furder p[r]mise & ingaudg myselfe yf. Jo[n] Harker have really payd for it and doe his best indevor to get it of Browne or Mr. Fowles, to repaye the sayd 40[s] rather than Jo[n] Harker lose it. 30 June 1647 (?)

℔ me Ed: Godfrey.

XVII.

SALE OF FAMILY PROPERTY AT BARNEND, WILMINGTON, KENT.

[York County Court Records, Mss.]

To all Xtian People to whome thes p[r]sents may come Greting: Wheras m[r] Edward Godfrey of Accom[ts] Freely and of his one accord cometh into this Court Producing a letter from ould England from one mr Francis Langworth Intimating that his sonne or others may unjustly question or clame titell to sarten houses & lands situated & Lying at Wylmington in Kent Comonly knowne by the name of Barnend formerly sould by him the said Edward [to] the affore said Mr Francis Langworth hee hereby protesteth and declareth that ther is none what soever that have any just cause soe to doe & that the sayle maid by him the said Edward unto the said mr Francis Langworth was good & lawfull & will warrent the same against any person to the said m[r] Langworth & that it is Free from any Incombrances maid by the said Edward and doeth acknowledge that hee is in equity and conscience bound to make good the saile therof by

these presence acknowledge to ratifie & confirme the same by fine recovery or any other way for wch soe doing hee doeth give mr Langworth & mr Robert Tomson power as his Authority to doe the same & will at all times be redy to doe any lawfull acte for mayntayning the said titell:

In testimony hee hath caused this his writing to be recorded: ad perpetuam rei memoriam & the coppy of the same to bee sent for England Authenticated und^{r} the seale of the Province of Mayne the 15th Xcember 1650.

Edw. Godfrey Go^{r}.

XVIII.

GODFREY'S DIVISION OF THE PATENT.

[Massachusetts Archives, Vol. 112, Page 12.]

A Coppy of a diviſsion made by m^{r} Edw: Godfrey and others in pte of 12000 acres of land of Agament:

In Performance of a Court order at the Peticon of Roger Gard & others as by the same appeareth, August: 1641:

The Deviſsion of 12000m Acres of Land amongst the Pattentees of Agamenticus October 30 1641: by us whose names are here subscribed.

6 Miles & 4 long & 3 Miles broad makes 12000 which being devided into 13 parts each parte will contayne 154 m: which makes ½ a Mile wanting 6 poole.

ffower of these parts putt together contayning 616 poole In breadth, and 68 lynes at Nine poole by lyne make 616 poole & 2 poole over and above.

There is already layd out towards every of the fower parts 26 lynes & one over and above, Soe there is more to be layd out for every ffowerth parte 42 lynes, & the salt Marsh ground to be devided in the like mañer.

A Division already of the Land below M^{r} Gorges house on the Lower side of the Crick.

THOMAS GORGE EDW: GODFREY ROGER GARD.

Recorded according to the originall by me
EDW: GODFREY.

Memorand the 5th day of May 1644: We New measured M^{r} Godfrey's land from the Marked tree above the Trapp unto M^{r} Norton's house, which is his bounds, Jt contayning 154 poole betweene the s^{d} house & Tree, & from these bounds he is to goe North East measured by M^{r} Godfrey & us whose names are underwritten agreeth wth the Originall

ROGER GARD.
JOSEPH HULL.

A True coppy of this computac̃on or divisions above written transcribed out of the originall & therewith compared this 10th day of June 1667

℔ EDW: RISHWORTH.
Re: Cor:

A True Coppy transcribed & therewth compared this 4th of October 1687.

℔ me Francis Hooke, Jus. pea.

XIX.

DOCUMENTS RELATING TO LANDS AT YORK.

[Massachusetts Colonial Records, iii. 363.]

2 November 1654. In the case of M^{r} Edward Godfryes complaynt agajnst the towne of Yorke, about lands, it is ordred, by & wth the consent of the sd M^{r} Godfry & M^{r} Edward Rishworth, on y^{e} behalfe of the towne, & each ꝑticuler ꝑson concernd herein, that M^{r} John Brocke, M^{r} Valentine Hill, & M^{r} W^{m} Worcester shalbe & are hereby appoynted comissiono^{rs} from this Court to here & determine all the differences between the sd M^{r} Godfry & the towne of Yorke, & others whom it may concerne, in reference to a meet ꝑportion of land to be allowed the sd M^{r} Godfry, accordinge to his demeritt, as also for his charg in attendance on this Court; & the sd commissiono^{rs} are hereby desired to make a full end of this busines by the last of Aprill 1655.

[Ibid. iii. 364.]

2 November 1654. To the Inhabitants of Yorke: Whereas M^{r} Edward Godfry hath complayned to this Court of vnkind, if not vnjust dealing he hath mett with amongst you, in reference to a meete ꝑportion of land, suteables to his endevours, charges, & claymes, that we might put a conven-

ient & comfortable issue to this diffrenc betweene you, we haue commissioned wth both yo^{r} consents, M^{r} Worster, M^{r} Brock, & M^{r} Hill to here & determine the case before the end of Aprill next, & doe desire & expect y^{t} you will readyly attend such conclusions, & pvent any further cas complaynt on his pt, which seemes not to haue bin wthout a cause.

8 November 1654. The meaning of y^{e} Court is that each particular pson concerned is included as well as the Towne ioyntly in the busines above mentioned.

Voted by y^{e} Magistrates.

Ri. Bellingham Gov^{r}.

Consented to by y^{e} Deputyes

℔ Richard Russell speaker.

XX.

REPORT OF INVESTIGATING COMMITTEE.

[Massachusetts Archives, iii. 238.]

We whose names are vnder written being appoynted comiſsion^{rs} by y^{e} Gen^{rll} Courte held at boston y^{e} 6th of Nou^{r}: (54) for y^{e} hearinge & determininge of all differences betweene M^{r} Ed: Godfrey & y^{e} towne of yorke, after due inquiry made thereinto haue determined as followeth:

Imp^{r} That all such grants of land as have beene made by m^{r} Ed: Godfrey to any person or persons we confirme y^{e} same to him & them accordinge to his agrement made wth them [. . .]: whereof are as ffolloweth:

ACRES OF VPLAND & MEDOW

To Mr Hen: Norton	40	0
To Rich Bankes	10 & a prsill of swampe	
To Edw: Wentum:	30	6
To Tho: Curtus	10 & a prsill of swampe	
To John Twisdell Senr:	10 & a prsill of swampe	
To Rich: Burgis	10	0
To Sam: Adams	10	0
To Siluester Stover & partners	30	0
more to Rich: Burgis	40	0
To Phillop Adams	40	0
To Will̄: More	40	0
To Peter Wire	100	0
To John Gouch	100	0
To mr Preble	020 & a prsill of swamp	
more to him	10	0
more to him	20	0
To John Alcoke	10 & a prsill of swamp	
To ye ministers house	0	6
To Phillop Adams & More	0	4
To Ellingham & Hugh Gayle	50	5
To George Parker	08	0
To Andray Euerit	06	0
To Phillop Adams	40	0

Likewise we confirme all other grants made by ye sayd mr Godfrey before ye day of ye date hereof:

2ly We confirme to ye sayd mr Godfrey his heires & Aſsinges for euer all such landes as belonge to his house on ye North side of ye riuer continge 30 acres more or leſse of vpland wth three acres of medow:

Alsoe 50 acres of vpland lyinge below ye tide mill by ye Riuer side prouided yt ye pyne timber be reserued for ye townes occasions:

Alsoe 500 acres of vpland lyinge on y^e^ necke of land betweene the too branches of y^e^ sayd Riuer to be layd out to him by the towne next adiasent to such grants as he hath there formerly made:

Alsoe 200 acres of vpland lyinge on the south side of the sayd Riuer acknowledged by the Inhabytants to be his:

3^ly^ Now conserning y^e^ marsh land in y^e^ towneship vpon due search we find y^e^ Compl^nt^ thereof not to exceed 260 acres his grants thereout being confirmed as before expressed: we doe morcouer confirme to him 8 acres of Medow more or lefse lyinge at y^e^ partinge of the Riuer, Alsoe 7 Acres more or lefse of Marsh lately made vse of by John Twisdell sen^r^ w^th^ 3 Acres more of good marsh to be layd out to him by the sayd towne in some convenyent place, All w^ch^ sayd parsills of lands wee conffirme to him his heires & Afsinges ffor euer:

lastly Conserninge the sayd m^r^ Godfreys his charge in attendinge the sayd Genrll Courte we doe determine y^t^ the sayd towne shall alow him fiue pound in corrent pay w^th^in six weekes after y^e^ date hereof

These our determinations beinge accordinge to our best lyght iust & equall, we intreate m^r^ Ed: Godfrey & the towne of yorke to take in good parte ffrom

Their Verry loueing ffrinds

William Worcester.

John Brocke.

Valentine Hill.

Dated this 20^th^ off Aprill 1655:

XXI.

PETITION OF INHABITANTS OF YORK.

[MASS. ARCHIVES, III. 237.]

To the Honor^d^ the Generall Court now afsembled at Boston, The humble petition of the Inhabitants of the Towne of Yorke, Sheweth

That where as there was certen Complaynts exhibited aganst us, the Jnhabitants of the sd Towne, at the Last sitting of the Generall Court, by M^r^ Edward Godfrey [30 Oct. 1654], declaring, as if we had vniustly detayned seuerall of his Lands, & Jmpropriations from him; ffor the rectifijng w^r^ of, this Hono^ed^ Court taking cogniscence, soe farr as to Comifsionate Certen Gentle: with the consent of ptys y^r^in concerned, to heare & determine such matters of diffirence as were betwixt us: Accordingly a hearing was attended by the Commissioners, a returne of there resolutions since there departure vnder there hands haue beene transmitted to us [20 Apr. 1655], Although dissatisfactory, for these reasons, ffirst because it confirmes to Mr Godfrey such generall vnknown grants, & Consequently rights, as at p^r^sent cannot be known to us, in certenty, althoe hereafter more may be known there in to our p^r^iudice. 2ly because it is not commensurate with the minds of the Commifsioners themselves onely declared to us in Justification of our dealings with Mr Godfrey, wh there returne absolutly denys. 3ly Jn stead of excluding all

other pleas (Mr Godfreys onely excepted) w^ch the Commiſsio^rs seemd principally to ayme at, haith by casting vs as the Jniurious, rather opened a wider doore for all others to come in as sharers in the like rights, whose grounds are æqually valid with M^r Godfreys [4]tly respecting [?] th[e] charges given, The Towne in generall . . . the Comissio^rs . . . [illegible] . . . wrong . . . they could p̄ceaue to M^r Godfrey: How then? . . . [illegible] . . . must be censuros[?] to satisfy any whom these p̄sons haue not wronged, we leaue to the wisedome of this Court to Judge

Our Humble request therefore to this Hono^rd Court is that they would be pleased to take into consideration, how little safety may follow the Confirming of unknown grants, how great praiudice must redowne to the well being of a Towne w^r considerable quantitys of Land are disposd of to p̄ticular p̄sons in convenjent places for the settling thereof; And how fare either in reason or Justis, p̄sons, Can be ingag'd to any charge towards such, whome they haue not wronged: ffor Judgme^t w^rof, we submiſsiuely attend the Just pleasure of this Court, with whom we leaue o^r Cause, for whose guidance & direction herein, as in all matters of greater weight, humbly taking our leaues, we pray vnto the Euerlasting Conseller to aſsist & Counsell,

GEORG + PARKERS m̄ke
JOSEPH EMERSON
JOHN ALCOCKE
FRANCIS RAYNES
NICHOLAS DAVIS
PETER WEARE

The mark of Henry Dunnell
Robert Knight his marke
Willi Hilten
Thomas Car his [mark]
Ed: Start + his mark
Andrew Everest
John Perse his mark
John Parker his mark
Ed: Rishworth
Abrā: Preble
Edward Johnson
Henry Norton
Arthr Bragdons mark
Willme Dixons mark
Silvester ſ ſ Stouer his mark
Richard Bancks
John Twisden

XXII.

ACTION ON YORK PETITION.

[Massachusetts Colonial Records, iii. 385.]

23 May 1655 Whereas Mr William Worster, Mr John Brock & Mr Valentine Hill were chosen as comissionors by this Court & invested with full power to heare & determine all matters in difference betweene the towne of York & Mr Godfry, in relation to the graunts of certayne lands, which accordingly they haue endeavoured to doe, & made their returne to this Court, agaynst which the inhabitants of yorke have made some objections respecting the confirmation of vnknowne graunts made by the sd Mr Godfry before the date of their returne, as also the graunt of lands pjudiciall to the towne, which this Court having considered off, doe thinke meet to reinvest the foresd comissionors with full power & doe hereby desire them, with all convenient speed, to make review

of their returne, & if it may be by consent of all psons engaged to compose the same to mutuall satisfaction; or if otherwise to make vse of such their powre to correct or amend what in their vnderstanding, vppon further information shall appeare to be of evill consequence to the towne, or any pson concerned therein

XXIII.

MISCELLANEOUS COURT RECORDS. 1636–1667.

[YORK COUNTY RECORDS, COURT FILES.]

5 Mar 1651 M^r^ Edward Godfrey in the behalfe of Ane his wyfe against m^r^ Francis Raynes & Ellin his wife in an action of defamation & slaunder to the vallue of 50£ the same against Crocket & his wyfe

M^r^ Edward Godfrey in the behalfe of Ane his wyf plantive

M^r^ Francis Rayns in the behalf of Elline his wyfe defendant

" The plantive Cometh into this Court & komplaineth that they having lived in this place many yeares in good report & fame booth in Church & Comonwealth, his wyfe of the sd Francis Raynes did in most slanderous & defamatory speeches Revile the sd Ane w^th^ the words: Ly and base Ly: & twas the pride of hir hart to weare hir husbands hatte about & a wastcoat w^ch^ Consarned them not. And not onely soe but m^r^ Raynes did in & att a publique meting one the Lords day Complayne therof

to the whole Congregation wherby the plaintive is damnified in his reputation to the vallue of 50£ & theruppon Comenseth his action of defamation & slaunder & desyreth a legall pceding."

[Same complaint against Thomas Crockett & wife here follows, with names altered.]

W^ras there were certen differences fell out betwixt Mrs Godfrey & mrs Raynes & Ann Crocket who by a joynt Consent did wholly referr the ending of the s^d differences to ye Court upon hearing of wch the Court besids acknowledgments already one to y^e other: Hath hereby ordered y^t w^tsoever p^rson shall henceforward bring any of these form^r differences in question before any magistrate shall forthw^th be bound to y^r good behavior.

1651 "Wee p^rsent Goody [Mary?] Mendum for saying she looked upon Mr Godfrey as a dissembling man"

30 Nov 1653 "William Moore plant. in an action of the case against M^r Ed: Godfrey Defend^t for wrongfull detayning of a Cow from him. Withdrawn"

1667 Ric. Whitt is plantiff In an Action of the Case for a debt due to y^e valeu of eight pounds Contra M^r Edw: Godfrey or his estate defendant.

This Action Contined & if any estate can bee found hee hath his lyberty to proceed, if not if any land of inheritance can bee found of M^r Godfreys hee may sue the land . . .

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